

**City Planning Commission Meeting  
Tuesday, February 10, 2015**

**CPC Deadline: 02/27/15  
CC Deadline: 03/31/15  
City Council District C - Ramsey**

---

**PRELIMINARY STAFF REPORT**

---

**To:** City Planning Commission  
**Zoning Docket:** 008/15

**Prepared by:** Nicholas Kindel  
**Date:** January 28, 2015

**I. GENERAL INFORMATION:**

**Applicant:** Bena Capital, LLC

**Request:** This is a request for a conditional use to permit a cocktail lounge in an HMC-2 Historic Marigny/Tremé Commercial District and an AC Arts & Cultural Overlay District.

**Location:** The petitioned property is located on Square 5, Lot 22, in the Third Municipal District, bounded by Esplanade Avenue, Chartres, Frenchmen and Decatur Streets. The municipal addresses are 514-516 Frenchmen Street. The property is within the Marigny Local Historic District. (PD 7)

**Description:** The subject site is a rectangular lot fronting on Frenchmen Street. The property measures 46 feet 10 inches in width along Frenchmen Street, 127 feet 11 inches in depth on the Chartres Street side, and 128 feet in depth on the Esplanade Avenue side for a total area of approximately 5,995 square feet. The site is occupied by a 7,017 square foot two-story structure that occupies nearly the entirety of the site. The structure was previously used as a printing facility and was vacant for a number of years. The structure was recently renovated and has a restaurant and a theater on the ground floor. The City Planning Commission staff has not been able to confirm the use of the second floor.<sup>1</sup>

The applicant proposes to convert the existing restaurant, Bamboula's, into a cocktail lounge. Two years ago, there was a request to create a cocktail lounge with live entertainment at this location.<sup>2</sup> This request was made prior to the building's renovation, and the applicant was requesting that the entire building be a cocktail lounge with live entertainment. This request was recommended for denial by the City Planning Commission and was subsequently withdrawn prior to any action by the City Council. The applicant then decided to renovate the building as two separate permitted uses, a restaurant, Bamboula's, at 516 Frenchmen Street and a theater without alcoholic beverage sales, Festival Hall

---

<sup>1</sup> The staff has not been able to find any approved plans for the second floor in LAMA, the City's permit database. A nola.com article indicates the second floor is being used as a musician greenroom and a party room.  
[http://www.nola.com/music/index.ssf/2014/10/frenchmen\\_theatre\\_looks\\_ahead.html](http://www.nola.com/music/index.ssf/2014/10/frenchmen_theatre_looks_ahead.html)

<sup>2</sup> Zoning Docket 002/13

Theatre or the Frenchmen Theatre,<sup>3</sup> at 514 Frenchmen Street. The applicant now proposes to convert the existing restaurant into a cocktail lounge. According to the submitted floor plans, the cocktail lounge will include a bar, seating area, restrooms, a kitchen, and a walk-in cooler. There is no stage shown on the site plan, but they will presumably provide live entertainment as they currently do. As the building occupies nearly the entire site, no off-street parking or loading spaces are proposed.

### **Why is City Planning Commission action required?**

Cocktail lounges are conditional uses in the HMC-2 Historic Marigny/Tremé Commercial District, per **Article 9, Section 9.5.5 Conditional Uses** of the Comprehensive Zoning Ordinance. The City Planning Commission is required to make a recommendation on all Conditional Use requests prior to City Council action, in accordance with **Article 16, Section 16.6.4 Procedures for Conditional Use Permits** of the Comprehensive Zoning Ordinance.

## **II. ANALYSIS**

### **A. What are the surrounding land uses and zoning?**

The subject site is located within the Faubourg Marigny neighborhood on Frenchmen Street, just off of its intersection with Esplanade Avenue. It is within the Frenchmen Street commercial corridor, which extends for multiple blocks along Frenchmen Street between Esplanade Avenue and North Rampart Street. The commercial corridor is divided between two zoning districts, an HMC-2 Historic Marigny/Tremé Commercial District (within which the subject site is located) and an adjacent HMC-1 Historic Marigny/Tremé Commercial District. The subject site is located in the HMC-2 District, which includes the portion of the Frenchmen Street commercial corridor nearest Esplanade Avenue, as well as most properties along and just off of Elysian Fields Avenue between North Peters Street and Dauphine Street. The remainder of the Frenchmen Street commercial corridor is located within the HMC-1 District, which extends for multiple blocks primarily along Frenchmen Street roughly between Decatur Street and North Rampart Street. Aside from these HMC-1 and HMC-2 Historic Marigny/Tremé Commercial Districts extending along Frenchmen Street and Elysian Fields Avenue, much of the neighborhood is residential in nature, divided between a number of HMR-1, HMR-2, and HMR-3 Historic Marigny/Tremé Residential Districts.

The area was developed in the mid to late 19<sup>th</sup> Century and is characterized by a rich historic building stock dating from that period. The Frenchmen Street commercial corridor features single- and two-story structures that occupy nearly the entireties of the lots on which they are located. These structures normally feature ground floor, pedestrian-oriented commercial units with upper floors, where present, occupied by

---

<sup>3</sup> This theater received a variance for 27 off-street parking spaces in BZA Docket 161-13.

residential units. Because structures are built to or near front and side property lines, off-street parking spaces are not provided on most sites.

The Frenchmen Street commercial corridor features a variety of small retail and service establishments that are oriented toward the patronage of local residents and tourists. These businesses include a number which operate primarily during the day, including a book shop, a small grocery store, and standard restaurants. Though these daytime uses exist, the corridor is better known for its nighttime uses, including a number of live entertainment venues. These include cocktail lounges and a number of businesses that are licensed as standard restaurants but provide live entertainment and operate, at least intermittently, as de facto cocktail lounges. The uses that are in the immediate vicinity of the subject site include Maison, a live music venue, which abuts the site to one side; a lot that is currently under construction as mixed use structure with a restaurant and residential abuts the site to the other side; and residential properties that abut it to the rear. Directly opposite Frenchmen Street from the subject site is a restaurant that appears to operate as a bar, 13, a hotel, a multiple-family residence, and an office/health clinic.

While the Frenchmen Street corridor is primarily commercial, the Faubourg Marigny neighborhood in which it is located is mostly residential in character. The surrounding areas feature well-maintained historic residences, including many single- and two-story structures. These residences are situated closely to one another, as they are built to the public street and feature only shallow side and rear setbacks.

#### *AC Arts & Cultural Overlay District*

In recent years, as the Frenchmen Street commercial corridor has become a prominent destination for live music for both locals and tourists, the City Planning Commission and City Council has aimed to support live music venues but balance them with a variety of other uses in a manner that enhances the overall quality of life in the area.<sup>4</sup> To achieve this, in 2004 the City Council created the Frenchmen Street AC Arts & Cultural Overlay District. The AC District overlay allows live entertainment (including live music) as an accessory use in both cocktail lounges and standard restaurants.<sup>5</sup> However, it restricts the live entertainment venues both in size and number, as it limits live entertainment venues to 4,000 square feet in floor area and aims for a ratio of approximately 20% cocktail lounges and 80% other uses.<sup>6</sup> As noted in the 2004 Frenchmen Street Arts & Cultural

---

<sup>4</sup> *Frenchmen Street Arts & Cultural Overlay District Study*, August 10, 2004, pg. 2.

<sup>5</sup> **Article 10, Section 10.13.6** *Live Entertainment as an Accessory Use Authorized in the District* of the Comprehensive Zoning Ordinance.

<sup>6</sup> **Article 10, Section 10.13.1** *Purpose of the District* of the Comprehensive Zoning Ordinance. It should be noted that the restriction is applied to cocktail lounges, not restaurants, because the intent of the restriction is to limit nighttime land uses. As the AC District overlay allows restaurants to have only non-amplified live entertainment limited to three performers only during specified hours, restaurants are not considered to be the types of live entertainment venues that need to be limited in number. In contrast, cocktail lounges are subject to fewer restrictions than standard restaurants, including no limitations on performance times. Since this creates the potential for a greater impact by cocktail lounges on the character of the neighborhood, especially during nighttime hours, the AC District overlay

Overlay District Study, this ratio was based primarily on the approximate ratio of cocktail lounges to other uses that existed when the overlay was created.

There is no formal count of the number of cocktail lounges in the Frenchmen Street AC District overlay. Conducting a survey is difficult because the corridor currently features not only legitimate licensed cocktail lounges, but also businesses that are licensed as standard restaurants but which provide late night live entertainment and operate essentially as cocktail lounges. As such, any formal count of the cocktail lounges within the overlay would have to determine whether the count should include only licensed cocktail lounges or both licensed cocktail lounges and restaurants that operate as de facto cocktail lounges. In the staff's opinion, such a count should include both licensed and de facto cocktail lounges. Since all businesses that operate as cocktail lounges, whether licensed as cocktail lounges or not, have similar impacts on the character of the AC District overlay, all should be included when determining the AC District overlay's ratio of cocktail lounges to other uses.

Since there is no formal count of the number of cocktail lounges, the staff conducted an informal count of all uses in the AC District overlay on December 22, 2014 as part of a site visit. This count gives a general sense of the current land use pattern of properties in the AC District overlay but should not be considered to be a formal, completely accurate representation of current land uses.

<b>Frenchmen Overlay AC Informal Land Use Summary</b>		
<b>Uses</b>	<b>Number</b>	<b>Percent</b>
Cocktail lounges (and restaurants operating as cocktail lounges)	14	28%
Residential and/or offices	8	16%
Restaurants	7	14%
Retail	4	8%
Residential	3	6%
Office	3	6%
Hotel	3	6%
Personal services	2	4%
Vacant or under construction	2	4%
Other	4	8%
<b>Total</b>	<b>50</b>	

The 14 live music venues that the staff identified are listed in the table below. Some of the live music venues that are widely perceived as operating essentially as cocktail lounges are in fact licensed as standard restaurants.

---

finds it necessary to restrict their number.



Summary of Cocktail Lounges or Restaurants Operating as Cocktail Lounges		
Address	Business	Occupational license classification <sup>7</sup>
435 Esplanade	Dragon Den	Full Service Restaurant
437 Esplanade	Miss Jean's/Mojitos	Full Service Restaurant
501 Esplanade	Checkpoint Charlie's	No Information Available
500 Frenchmen	Vaso	Full Service Restaurant
508 Frenchmen	Maison	Full Service Restaurant
532 Frenchmen	Blue Nile	Full Service Restaurant
536 Frenchmen	Three Muses	No Information Available
517 Frenchmen	13	Full Service Restaurant
525 Frenchmen	Yuki	No Information Available
609 Frenchmen	Apple Barrel	Drinking Places (Alcoholic Beverages)
623 Frenchmen	Spotted Cat	No Information Available
606 Frenchmen	Café Negril	Full Service Restaurant
618 Frenchmen	d.b.a.	Drinking Places (Alcoholic Beverages)
626 Frenchmen	Snug Harbor	Full Service Restaurant

**B. What is the zoning and land use history of the site?**

*Zoning:* 1929 - J Industrial District  
1953 - J Light Industrial District  
1970 - HMC-2 Historic Marigny/Tremé Commercial District  
2015 - HMC-2 Historic Marigny/Tremé Commercial District

*Land Use:* 1929 - Commercial  
1949 - Commercial  
1999 - Commercial<sup>8</sup>  
2015 - Commercial

**C. Have there been any recent zoning changes or conditional uses in the immediate area? If so, do these changes indicate any particular pattern or trend?**

Since 2000, there have been multiple zoning applications in the Frenchmen Street AC Arts & Cultural Overlay District, indicating the district's appeal as a popular nightlife and live entertainment destination. Two of these applications, Zoning Docket 002/13 and Zoning Docket 47/10, are considered recent (within the past five years), but the older applications remain relevant to the current request because they pertain to the

<sup>7</sup> This information found by the City Planning Commission staff in LAMA, the City's permitting database in December 2014. This information may exclude licenses in instances where the data from the Bureau of Revenue does not match a City GIS address.

<sup>8</sup> The 1999 Land Use Plan provides generalized land use information and is not lot-specific.

establishment of the AC Arts & Cultural Overlay District or because they represent requests similar to that made for the subject site.

**Zoning Docket 002/13** was a request for a conditional use to permit a cocktail lounge with live entertainment in an HMC-2 Historic Marigny/Tremé Commercial District and an AC Arts & Cultural Overlay District. The municipal address is 514 Frenchmen Street. The City Planning Commission recommended denial. The request was withdrawn by the applicant prior to City Council action. *This request is for the subject site.*

**Zoning Docket 047/10** was a request for a conditional use to permit a cocktail lounge in an HMC-1 Historic Marigny/Tremé Commercial District and an AC Arts & Cultural Overlay District. The municipal address is 606 Frenchmen Street. The City Planning Commission recommended denial. The request was withdrawn by the applicant prior to City Council action. *This site is located within one (1) block of the subject site. This site, also the subject of Zoning Docket 12/01, is occupied by Cafe Negril, which is licensed as a standard restaurant but appears to operate as a de facto cocktail lounge.*

**Zoning Docket 112/08** was a request for a zoning map amendment to extend the boundary of the AC Arts & Cultural Overlay District to include Lot 4 or Lots 4 and Parts 5 and 6 of Square 6 in an HMC-1 Historic Marigny/Tremé Commercial District in the Third Municipal District, bounded by Frenchmen, Decatur and Chartres Streets and Elysian Fields Avenue. The municipal addresses are 2100 through 2108 Chartres Street and 531 Frenchmen Street. The City Planning Commission recommended denial of the request, which was subsequently denied by the City Council. *This site is located on an adjacent square.*

**Zoning Docket 063/07** was a request for a conditional use to permit a cocktail lounge in an existing structure in an HMC-2 Historic Marigny/Tremé Commercial District and an AC Arts & Cultural Overlay District. The municipal address is 1407 Decatur Street. The City Planning Commission's action resulted in a vote of no legal majority. The request died due to lack of action by the City Council. *This site is located on the subject square at the intersection of Decatur and Frenchmen Streets. The site is occupied by Vaso, which is licensed as a standard restaurant but appears to operate as a de facto cocktail lounge.*

**Zoning Docket 052/05** was a request for a conditional use to permit a cocktail lounge in an HMC-1 Historic Marigny/Tremé Commercial District and an AC Arts & Cultural Overlay District. The municipal address is 640 Frenchmen Street. The City Planning Commission's action resulted in a vote of no legal majority. The City Council subsequently approved the conditional use request. *This site is located within two blocks of the subject site. Though the conditional use application was approved, the site currently operates as a standard restaurant, Marigny Brasserie, and not as a cocktail lounge.*

**Zoning Docket 017/05** was a request for a conditional use to permit a cocktail lounge in an HMC-1 Historic Marigny/Tremé Commercial District and an AC Arts & Cultural Overlay District. The municipal address is 630 Frenchmen Street. The City Planning Commission recommended approval of the request, which was subsequently approved by the City Council. *This site is located within two blocks of the subject site. Though the conditional use application was approved, the site currently operates as a standard restaurant, Cafe Rose Nicaud, and not as a cocktail lounge.*

**Zoning Docket 095/04** was a request by City Council Motion M-04-632 for a text amendment to the Comprehensive Zoning Ordinance to amend Article 10, Overlay Zoning Districts to add Section 10.13 Arts & Cultural Overlay Zoning District pursuant to the recommendations of the Frenchmen Street Arts & Cultural Overlay District study. The City Planning Commission's recommendation was for approval. The City Council subsequently approved the request. *This action created the Frenchmen Street Arts & Cultural Overlay District within which the subject site is located.*<sup>9</sup>

**Zoning Docket 094/04** was a request by City Council Motion M-04-631 for a zoning change for all properties along Frenchmen Street between Royal Street and Esplanade Avenue pursuant to the recommendations of the Frenchmen Street Arts & Cultural Overlay District Study and pending the establishment of an Arts & Cultural Overlay District. The request was recommended for approval by the City Planning Commission and subsequently approved by the City Council. *This action was associated with the creation of the Frenchmen Street Arts & Cultural Overlay District.*

**Zoning Docket 012/01** was a request for a conditional use to permit a cocktail lounge in an HMC-1 Historic Marigny/Tremé Commercial District. The municipal address is 606 Frenchmen Street. The application was withdrawn by the applicant prior to City Planning Commission action. *This site is located within one block of the subject site. This site, also the subject of Zoning Docket 47/10, is occupied by Cafe Negril, which is licensed as a standard restaurant but appears to operate as a de facto cocktail lounge.*

**Zoning Docket 047/00** was a request for a conditional use to permit a cocktail lounge in an HMC-1 Historic Marigny/Tremé Commercial District. The municipal address is 616-18 Frenchmen Street. The City Planning Commission recommended approval of the request, which was subsequently approved by the City Council. *This site is located within two blocks of the subject site. It is occupied by d.b.a, which is a licensed cocktail lounge.*

**Zoning Docket 046/00** was a request for a conditional use to permit a cocktail lounge in an HMC-1 Historic Marigny/Tremé Commercial District. The municipal address is 623 Frenchmen Street. The City Planning Commission recommended approval of the request, which was subsequently approved by the City Council. *This site is located within two blocks of the subject site. It is occupied by the Spotted Cat. The occupational license*

---

<sup>9</sup>The Arts & Cultural Overlay District includes the 400, 500, 600 blocks of Frenchmen Street as well as the 1400 block of Decatur Street, the 400 block (odd side) of Esplanade Avenue, and 501 Esplanade Avenue.

*information provided to the City Planning Commission does not indicate if it is licensed as a restaurant or cocktail lounge.*

This indicates that since the creation of the Frenchmen Street AC Arts & Cultural Overlay District in 2004, the City Planning Commission has usually not supported the granting of conditional uses for new cocktail lounges. It has recommended the denial of two applications (Zoning Docket 002/13 and 047/10) and did not have a legal majority recommendation for two others (Zoning Dockets 063/07 and 052/05). It supported one application, Zoning Docket 17/05. The City Council's actions on these applications since 2004 have been mixed.

In addition to the requests listed above, which pertain to the Frenchmen Street AC Arts & Cultural Overlay District, there have also been a few applications for properties that are outside of the overlay district but within five blocks of the subject site.

**Zoning Docket 125/14** was a request for an amendment to Ordinance No. 25,607 MCS (Zoning Docket 097/13, which amended Ordinance No. 24,562 MCS to allow the development to contain those uses that are permitted by right in the HMC-1 District) to permit a wine shop with on-premises tasting and the sale of alcoholic beverages for off-premises consumption, in an HMLI Historic Marigny/Tremé Light Industrial District. The municipal address is 511 Marigny Street. The City Planning Commission recommended approval of this request, which has not yet been considered by the City Council. *This site is located approximately three blocks from the subject site.*

**Zoning Docket 097/13** was a request for an amendment to Conditional Use Ordinance No. 24,562 MCS (Zoning Docket 019/11) which permitted a residential/commercial mixed use in an existing structure, to permit restaurant, office or retail tenants in the ground floor commercial spaces, in an HMLI Historic Marigny/Tremé Light Industrial District. The municipal address is 511 Marigny Street. The City Planning Commission recommended approval of this request, which was subsequently approved by the City Council. *This site is located approximately three blocks from the subject site.*

**Zoning Docket 023/13** was a request for a conditional use to permit wine bar, wine shop and wine education in an HMC-1 Historic Marigny/Tremé Commercial District. The municipal addresses are 1938-40 Burgundy Street. The City Planning Commission vote resulted in no legal majority, and the application was withdrawn prior to City Council action. *This site is located approximately five blocks from the subject site.*

**Zoning Docket 024/11** was a request for a Zoning Change from an HMR-1 Historic Marigny/Tremé Residential District to an HMC-1 Historic Marigny/Tremé Commercial District. The municipal address is 1913 Royal Street. The City Planning Commission recommended denial of the request. The request was withdrawn prior to action by the City Council. *The request was made to allow the sale of alcoholic beverages at a standard restaurant located approximately three blocks from the subject site.*

**Zoning Docket 019/11** was a request for the rescission of Ordinance Nos. 13,368 MCS and 22,037 MCS and a Conditional Use to permit Residential/Commercial Mixed Uses in an existing structure in an HMR-3 Historic Marigny/Tremé Residential District and an HMLI Historic Marigny/Tremé Light Industrial District. The municipal addresses are 511-29 Marigny Street and 2308 Chartres Street. The City Planning Commission recommended approval of the request, which was subsequently approved by the City Council. *This site is located approximately three blocks from the subject site.*

These applications are not indicative of a pattern or trend.

**D. What are the comments from the design review staff?**

The applicant proposes to convert an existing restaurant into a cocktail lounge. The site is located at 514 Frenchmen Street in an HMC-2 Historic Marigny/Tremé Commercial District and an AC Arts & Cultural Overlay District. The applicant has not indicated if there will be any exterior renovations to the structure proposed for this structure. All exterior renovations or improvements visible from the public right-of-way are subject to review and approval by the Historic District Landmarks Commission. Therefore, the staff recommends the following proviso:

- Any modifications, alterations or improvements to the exterior of the structure on the petitioned site shall be subject to the approval of the Historic District Landmarks Commission.

The subject lot has a width of approximately 47 feet, a depth of 128 feet and comprises an area of approximately 5,995 square feet. The structure on the site is a two-story rectangular building which, with the exception of two alleyways, covers the site from property line to property line. The structure contains an area of approximately 5,234 square feet on the first floor and 1,783 square feet on the second floor level.<sup>10</sup> From the proposed cocktail lounge, there are three ingress/egress points, all from Frenchmen Street. Two ingress/egress points lead directly onto Frenchmen Street, and the other one is through an alleyway exit. The applicant did not submit a site plan or elevation plans with the application. A detail site plan with dimensions and areas should be submitted to the City Planning Commission staff for review. If any exterior work is proposed, the applicant shall submit elevations that have been approved by the Historic District Landmarks Commission. The provided floor plans should include dimension and areas as well and should accurately reflect the proposed configuration of the proposed cocktail lounge.<sup>11</sup> A stage is not shown on the floor plans, but if the applicant wants to provide live entertainment, there should be only one stage to limit the intensity of the proposed

---

<sup>10</sup> These floor area figures are from the previous staff report for Zoning Docket 002/13 because the floor plans that were submitted with the current application do not include any dimensions.

<sup>11</sup> The floor plan does not show the existing stage that is located at the restaurant. It is possible that the applicant proposes to eliminate the stage as part of this request, but it is highly unlikely. Therefore, the floor plans should accurately represent the proposed configuration of the cocktail lounge.

use. Should the application be recommended for approval, the staff recommends the following provisos:

- The applicant shall submit a detailed site plan and floor plan to the staff of the City Planning Commission includes measurements and space labels. If any exterior work is proposed, the applicant shall submit elevations that have been approved by the Historic District Landmarks Commission.
- The proposed cocktail lounge shall be limited to one performance/stage area.

*AC Arts & Cultural Overlay District Standards*

While the applicant has not specified any proposed hours of operation, the staff believes that the proposed venue will maintain similar business hours as other establishments along Frenchmen Street. The adjacent theatre that is located in the same building behind the proposed cocktail lounge was permitted without alcohol sales and would require a conditional use to sell alcohol.<sup>12</sup> Staff is concerned that if this establishment is converted into a cocktail lounge, it would serve as the de facto bar for the adjacent theater. Therefore, the staff recommends a proviso prohibiting alcoholic beverage sales for the theater.

In addition, there is a large metal roll up door between the restaurant and theater. If approved, the applicant could open the door and combine the two venues creating a large music club. The theater is currently permitted without alcoholic beverage sales and allowing these two venues to operate as one would allow the theater to have alcohol sales without the proper permits. In addition, the purpose statement of the AC Arts & Cultural Overlay District has a limit of 4,000 square feet for new live entertainment venues.<sup>13</sup> The combined venue would be approximately 5,200 square feet.<sup>14</sup> If this request is approved, the staff recommends a proviso to replace the metal door with a permanent wall separating the two venues.

- Alcoholic beverage sales from the cocktail lounge for consumption at the adjacent theater shall be prohibited.
- The applicant shall replace the metal roll up door with a permanent wall that would separate the proposed cocktail lounge from the adjacent theater and remove any interior access connections between the two separate uses.

---

<sup>12</sup> Per an April 4, 2014 letter regarding the occupational license for the Festival Hall Theatre at 516 Frenchmen Street from the Zoning Administrator, alcoholic beverage sales in theatres are a conditional use at this location.

<sup>13</sup> Per **Article 10, Section 10.13.1.**

<sup>14</sup> Since the applicant did not submit a detailed site or floor plans, this is an estimate because the staff is unsure of the exact size of the ground floor of the building.

The applicant has not indicated if there would be live entertainment at the proposed cocktail lounge, which is an authorized accessory use for a cocktail lounge in the Arts & Cultural Overlay District.<sup>15</sup> If the applicant is proposing live entertainment, it shall be subject to the standards of Article 10, Section 10.13.6. Should this application be approved, the staff recommends the following provisos:

- All establishments providing live entertainment shall hold the appropriate Live Entertainment Permit (Mayoralty Permit).
- All establishments providing live entertainment shall be subject to a closed doors/windows policy during any performance.
- All establishments providing live entertainment shall be subject to the applicable noise, litter, and other laws of the City, including the Comprehensive Zoning Ordinance, Building Code, City Code, and Life Safety Code.
- A cocktail lounge may provide live entertainment, including a permanent area for dancing, but shall not provide live adult entertainment, music played solely by a disc jockey, or karaoke. All cocktail lounges shall hold a Class A General ABO Permit and a Live Entertainment Permit (With or Without Admissions), if providing live entertainment.
- Cocktail lounges shall contain noise to levels specified in the Noise Ordinance by soundproofing the live entertainment area.

#### *Screening and Litter Abatement*

The applicant has not indicated on the plans the area(s) within which refuse would be contained, nor was any screening or pick-up frequency indicated within the submitted materials. Should this application be approved, the staff recommends the following proviso:

- The applicant shall submit a revised site plan, indicating a designated dumpster/trash storage area, appropriately screened from the public right-of-way with a minimum six (6) foot high opaque fence, subject to review and approval by the staff of the City Planning Commission. Except for pick-up times, the dumpster/trash cans must remain in the designated trash area. In no case shall litter be stored so that it is visible from any public right-of-way.
- The applicant shall submit a litter abatement program letter to the Department of Sanitation for review and approval. The letter shall include the stated location of

---

<sup>15</sup> City Planning Commission staff assumes that there will be live entertainment at the proposed cocktail lounge since there is currently live entertainment at the existing restaurant.

trash storage, the type and quantity of trash receptacles, the frequency of trash pickup by a contracted trash removal company, and the clearing of all litter from the sidewalks and street rights-of-way. The name and phone number of the owner/operator of the development shall be included in this letter to be kept on file in case of any violation.

### *Signage*

The applicant has not submitted signage plans. It is necessary that all existing or proposed signage meet the requirements of the HMC-2 Historic Marigny/Tremé Commercial District and be approved by the Historic District Landmarks Commission. In addition, in order to mitigate the visual effects of signage and potential litter problems commonly associated with cocktail lounges, the staff recommends the following provisos:

- The applicant shall submit sign plans indicating compliance with **Article 9, Section 9.5.6 Permitted Signs** of the HMC-2 Historic Marigny/Tremé Commercial District. Any proposed exterior signage shall be subject to the review and approval of the Historic District Landmarks Commission.
- No signage promoting alcoholic beverages shall be permitted on the exterior of the building or visible from the exterior of the building.

### *Miscellaneous*

Lastly, to ensure the Department of Safety and Permits does not issue building permits which are contradictory to the requirements of the conditional use, the staff recommends the following proviso:

- The Department of Safety and Permits shall issue no building permits or licenses for this project until final development plans are approved by the City Planning Commission and recorded with the Office of Conveyances. Failure to complete the conditional use process by properly recording plans within a one year time period or failure to request an administrative extension as provided for in Article 16, Section 16.9.11 of the Comprehensive Zoning Ordinance will void the conditional use approval.

**E. What is the potential traffic impact? What are the off-street parking requirements? Can they be provided on site? If not, is a waiver required?**

### *Description of surrounding streets*

The site is located along Frenchmen Street, which runs in a general north-south direction through the Marigny Triangle before terminating at Esplanade Avenue south of the site.



Frenchmen Street, like most streets in the interior of the Marigny Triangle, is a narrow one-way street providing a single travel lane and a parking lane on each side. Frenchmen Street can experience a heavy volume of traffic associated with the commercial uses that flank it, particularly during the evening hours when the restaurants and cocktail lounges within the corridor draw most of their customers. This traffic includes a mix of vehicular traffic associated with people driving to the corridor, attempting to park in the corridor or on surrounding blocks, and the non-automobile traffic of people walking and bicycling to the corridor. The other nearby streets traversing the interior of the Marigny Triangle carry relatively low levels of traffic at most times, although there can be some spill-over of automobile, pedestrian, and bicycle traffic from Frenchmen Street onto these surrounding streets on weekend evenings, as people travel into and out of the Frenchmen Street corridor.

While the streets on the interior of the Marigny Triangle are narrow, single-lane streets, the streets forming the edges of the Marigny Triangle, Esplanade Avenue, Elysian Fields Avenue, and McShane Place/Saint Claude Avenue, are multiple lane streets that are designed for and carry higher volumes of traffic. These streets carry substantial volumes of traffic between the Faubourg Marigny and adjacent neighborhoods at all times. During those evening times when the Frenchmen Street corridor is busiest, they also are used by vehicles traveling toward and away from Frenchmen Street.

### *Traffic impact*

Like the other music venues in the Frenchmen Street corridor, the proposed cocktail lounge would draw the greatest volume of customers during later evening hours at the times of scheduled performances. The proposed cocktail lounge could accommodate a large number of customers at peak times. However, the applicant is proposing to convert an existing restaurant into a cocktail lounge. Given that there is already an existing impact with the restaurant, the conversion to a cocktail lounge would limit the increase in traffic. In addition, many visitors to the Frenchmen Street corridor walk, bicycle, or visit multiple venues as part of one driving trip, it is likely that the actual increase in the level of vehicular traffic within the corridor and on surrounding streets would be relatively limited.

The cocktail lounge is most likely to significantly increase traffic in the surrounding streets if it attracts a large number of driving customers that would not otherwise visit the Frenchmen Street corridor. This is most likely if the cocktail lounge books relatively well-renowned performers with a broad fan base that do not already perform at Frenchmen Street venues.<sup>16</sup> This could result in an overall increase in traffic during performance times, adding to congestion on Frenchmen Street and surrounding streets during those times.

---

<sup>16</sup>This is more likely if the cocktail lounge and theater are used as one venue.

While this is possible, it is more likely that the cocktail lounge would not cause many new visits to the corridor by drivers. It is more likely that those drivers visiting the cocktail lounge would do so as part of “bar-hopping” trip they would otherwise make. These customers normally park at one location and then visit a series of cocktail lounges and music venues. The proposed cocktail lounge would simply be an additional stop on these trips. Since these trips to the corridor would occur regardless of whether or not the proposed cocktail lounge were present, the addition of the cocktail lounge would not produce an increase in the vehicular traffic levels associated with those customers.

Additionally, since the Frenchmen Street corridor is a destination for both neighborhood residents and tourists, many of whom stay in the nearby French Quarter, many of the cocktail lounge’s customers would not drive to the site. Similar to the other Frenchmen Street music venues, this cocktail lounge would presumably attract many tourists, who would walk to the site, and neighborhood residents, who would walk or bicycle. Given these factors, it is likely that while the proposed cocktail lounge would generate some increase in traffic during peak evening hours, this increase would be manageable and would not excessively increase congestion on the surrounding streets.

#### *Parking*

The subject site is within an HMC-2 Historic Marigny/Tremé Commercial District that extends across a portion of the Frenchmen Street corridor. Unlike the other Historic Marigny/Tremé Districts, which do not have off-street parking requirements, the HMC-2 District does have parking requirements. This is due to the relatively high intensity of many of the uses that are permitted in the HMC-2 District and their orientation towards customers from across the city, not just the surrounding neighborhood.

There is not any off-street parking proposed by the applicant. The structure occupies most of the lot, and there is not an opportunity to provide any off-street parking on-site. The proposed cocktail lounge is required to provide off-street parking spaces at a rate of one per 150 square feet of floor area, pursuant to **Article 15, Section 15.2** of the Comprehensive Zoning Ordinance. One space per 150 square feet of floor area is the same off-street parking requirement for the existing restaurant. Since the parking is grandfathered for the existing restaurant and the change of use does not require any additional parking, there is no off-street parking required for the proposed cocktail lounge.

#### *Loading*

The site is also subject to the loading space requirements of **Article 15, Section 15.3.1** and **Table 15.G** of the Comprehensive Zoning Ordinance. The current use of the site as a restaurant and the proposed use of the site as a cocktail lounge require one off-street loading space. Since the restaurant does not provide any off-street loading spaces, this requirement is grandfathered to the site. Therefore, the cocktail lounge is not required to provide any loading spaces. As the structure occupies nearly the entire site, the applicant

does not propose any off-street loading spaces. Delivery vehicles serving the cocktail lounge would park on-street, as is the case with other businesses in the corridor. The applicant indicated that there is an existing on-street loading zone approved in front of the building, but the Department of Public Works has not installed the proper signage. The applicant should continue to work with the Department of Public Works to properly mark the loading zone.

**F. Comments from other agencies/departments/committees**

The proposal was considered by the Planning Advisory Committee at its meeting of December 17, 2014. The applicant's representative described the project, stating that they wanted to convert the existing restaurant to a cocktail lounge. The representative noted that they are having difficulty getting more than 50% of sales from food, but noted that they would still serve food in addition to alcoholic beverages. There were some questions from the Committee regarding the current operation of the business, the scope of the conditional use request, the adjacent theater, and the difference between this application and the one that was denied two years ago.

The Historic District Landmarks Commission said that there are outstanding violations regarding lighting, signage, and ceiling fans that need to be resolved. The Department of Property Management, Division of Real Estate and Records noted that they are working on a long term lease of air and ground rights for the encroachments, but that the lease had not yet been completed. The City Planning Commission made a motion of no objection subject to further review by the City Planning Commission, Historic District Landmarks Commission, and the Division of Real Estate and Records. The motion was seconded by the Division of Real Estate and Records and was adopted. The Department of Safety and Permits voted in opposition of the motion. To address the comments made by other departments and agencies, the staff recommends the following provisos:

- The applicant shall resolve all outstanding code violations with the Historic District Landmarks Commission.
- The applicant shall secure the appropriate rights to utilize City property in conjunction with any and all encroachments in accordance with the requirements of the Department of Property Management, Division of Real Estate and Records.

**G. What effects/impacts would the proposed use have on adjacent properties?**

In reviewing the proposed cocktail lounge, the staff must determine whether or not it is consistent with the requirements of the Frenchmen Street AC Arts & Cultural Overlay District. The overlay district was created in 2004 to support the development of arts and cultural businesses in the Frenchmen Street corridor. It does this by allowing for various businesses by right (including art galleries, museums, theaters, and supportive businesses, including coffee shops). It also allows for live entertainment in restaurants and cocktail

lounges, subject to certain performance standards. While the overlay district promotes live entertainment, it is also careful to create a balance between live entertainment venues and other uses so that live entertainment venues do not overwhelm the corridor, threatening the character of the surrounding residential areas.<sup>17</sup>

The Arts & Cultural Overlay District seeks to achieve this balance between live entertainment venues and other uses by limiting both the number and size of live entertainment venues in the corridor. The AC District restricts the number of live entertainment venues by requiring that there be a ratio of approximately 20% cocktail lounges and 80% other uses<sup>18</sup> in the corridor. It appears that more than 20% of the overlay's land uses are cocktail lounges, so an additional cocktail lounge would conflict with the limitation on cocktail lounges. In addition, there is a maximum allowed size of 4,000 square feet for live entertainment venues in the corridor. While the proposed cocktail lounge appears to be less than 4,000 square feet, there is a metal roll-up door that connects the proposed cocktail lounge to the adjacent theater and would allow both venues to essentially operate as one. The combined restaurant and theater would likely be greater than the 4,000 square feet maximum size limit.

*The 20% cocktail lounge/80% other use requirement*

In an effort to ensure that there is a balance between cocktail lounges and other nighttime uses, and daytime uses such as retail stores, cafés, bakeries, and service uses, the overlay requires a ratio of approximately 20% cocktail lounges and 80% other uses.<sup>19</sup> Currently, of the approximately 50 land uses within the overlay district, there appear to be 14 cocktail lounges and restaurants with live entertainment that essentially operate as cocktail lounges. As such, cocktail lounges constitute approximately 28% of all land uses within the district. Since many of these cocktail lounges and restaurants with live entertainment operate essentially as cocktail lounges (whether appropriately licensed or not), the staff has in recent years concluded that tipping point of the desired balance of 20% cocktail lounges to 80% other uses had been reached and that the approval of additional cocktail lounges would endanger the Frenchmen Street corridor's mixed use atmosphere.<sup>20</sup>

Consistent with this determination that the desired balance of cocktail lounges and other uses has been achieved, the staff has recommended the denial of recent applications to allow additional cocktail lounges.<sup>21</sup> Similarly, the current request should be denied. If this

---

<sup>17</sup> Article 10, Section 10.13.1 Purpose of the District of the Comprehensive Zoning Ordinance.

<sup>18</sup> Article 10, Section 10.13.1 Purpose of the District of the Comprehensive Zoning Ordinance.

<sup>19</sup> Article 10, Section 10.13.1 Purpose of the District of the Comprehensive Zoning Ordinance.

<sup>20</sup> This concern is discussed in the staff reports for Zoning Docket 052/05, Zoning Docket 063/07, Zoning Docket 047/10, and Zoning Docket 002/13.

<sup>21</sup> The staff recommended the denial of conditional use applications for new cocktail lounges (Zoning Docket 63/07 and Zoning Docket 47/10). It also recommended denial of a request to expand Arts & Cultural Overlay District to include a site that was occupied by a licensed standard restaurant that operated as a de facto cocktail lounge (Zoning Docket 112/08).

application is approved, the number of cocktail lounges (and restaurants with live music which operate as cocktail lounges) would increase to about 15, causing the percentage of cocktail lounges to increase to 30% and would further exceed the 20%/80% ratio desired for the Frenchmen Street corridor.

*4,000 square feet maximum size for live entertainment venues*

In addition to balancing the uses along Frenchmen Street, the Arts & Cultural Overlay District limits the size of new live entertainment venues to 4,000 square feet. This would prevent large music clubs from opening, which could overwhelm the nearby residential neighborhoods. The restaurant/proposed cocktail lounge appears to be less than 4,000 square feet, but there is a metal roll up door that connects the cocktail lounge to the adjacent theater. Opening this metal door would allow for these two separate uses to essentially operate as one large music venue. This is problematic for a couple of reasons. First, there is a size limit for live entertainment venues in the Arts & Cultural Overlay District, and the combined venues would be greater than the 4,000 square foot limit. Second, the adjacent theater is allowed only without alcohol sales and the proposed cocktail lounge could serve as the de facto bar for that theater. A large live entertainment venue would have an increased impact on the surrounding residential area than the separate, smaller cocktail lounge and theater. The 4,000 square foot limitation is imposed in order to allow only small-scale live entertainment venues that do not produce high levels of noise, large crowds, and intense levels of vehicular traffic and demand for parking. If approved, the recommend proviso to replace the metal door with a wall is required to ensure compliance with these requirements.

There are different standards for live entertainment in restaurants and cocktail lounges in the Arts & Cultural Overlay District.<sup>22</sup> If the conditional use is approved, there would no longer be any limitations on amplified music, no more than three band members, hours of performances, and the other limitation in **Article 10, Section 10.13.7.3**. Live entertainment at cocktail lounges is more intense and would have a significant impact on the nearby residential area if this conditional use is approved.

**III. Is the proposed action consistent with the goals, policies, and guidelines of the *Plan for the 21<sup>st</sup> Century*?**

In accordance with the Home Rule Charter of the City of New Orleans, a land use action is consistent with the Master Plan if it furthers, or at least does not interfere with, the goals, policies, and guidelines in the Land Use Element of the Master Plan and is compatible with the uses, densities, and intensities of the designation of its site on the

---

<sup>22</sup> The existing restaurant appears to be operating beyond the limits for live entertainment for restaurants in the Arts & Cultural Overlay District, per **Article 10, Section 10.13.7.3**. The restaurant appears to have musical acts with more than three members playing amplified music, performance continue after 11pm during the week and 1am on weekends, and there is a permanent stage (These violations can be seen in pictures and the live entertainment schedule on Bamboula's website: <http://www.clubbamboulas.com/>). All of these items are prohibited in standard restaurants.

Future Land Use Map. The request for a conditional use to permit a cocktail lounge is not addressed in and therefore is consistent with the *Plan for the 21<sup>st</sup> Century*, commonly known as the Master Plan. “Chapter 14: Land Use Plan” of the Master Plan designates the future land use of the petitioned site as “Mixed-Use Historic Core.” The goal, range of uses, and development character for that designation are provided below:

### **MIXED-USE HISTORIC CORE**

**Goal:** Increase convenience and walkability for neighborhood residents and visitors within and along edges of historic core neighborhoods.

**Range of Uses:** A mixture of residential, neighborhood business, and visitor-oriented businesses. Uses may be combined horizontally or vertically, and some structures may require ground floor retail with residences or offices on upper floors. In some areas where current or former industrial use is verified, existing buildings may be appropriate for craft and value added industry.

**Development Character:** The density, height, and mass of new development will be consistent with the character and tout ensemble of the surrounding historic neighborhood. Appropriate transitions will be provided to surrounding residential areas.

The request is to permit a cocktail lounge in an existing historic structure. The subject structure is characteristic of the height, massing, and density of the other structures in the surrounding area, and would not be changed as part of the proposal. The future land use map designation for the site envisions a mixture of commercial and residential uses in close proximity to one another. The proposed cocktail lounge fits within the range of uses. The Master Plan does not, however, directly address the location or concentration of uses selling alcoholic beverages within particular land use designations. As a result, the proposed action would not specifically interfere with the goals and policies of the Master Plan, and should therefore be considered **consistent** with it. In such cases, the decision as to whether or not to grant a conditional use must be made on a case-by-case basis upon an evaluation of the impacts of the proposed use.

## **IV. SUMMARY**

Zoning Docket 008/15 is a conditional use request to permit a cocktail lounge at 516 Frenchmen Street in the Frenchmen Street Arts & Cultural Overlay District. The applicant proposes converting an existing restaurant into a cocktail lounge on the ground floor of an existing building. The Frenchmen Street Arts & Cultural Overlay District aspires to create a mixture of daytime and nighttime uses, with a limited number of small-scale live entertainment venues. This mixture of uses is intended to protect the character of the district and limit the impacts of cocktail lounges and other live entertainment venues on surrounding residential areas. To accomplish this mixture, the district imposes a requirement that no more than approximately 20% of the overlay district’s uses be

cocktail lounges and 80% be other uses. Furthermore, it limits live entertainment venues (including cocktail lounges with live entertainment) to 4,000 square feet.

The current proposal is potentially in conflict with both requirements. The 20% cocktail lounge/80% other use ratio appears to have already been exceeded due to the number of licensed cocktail lounges and de facto cocktail lounges that exist in the overlay district. The approval of this application would cause the number of cocktail lounges to further exceed this 20% requirement. Additionally, the proposed cocktail lounge, which is connected to the adjacent theater, would exceed the 4,000 square foot limitation for live music venues. If the request is approved, it could undermine the overlay district's efforts to create a balance between live entertainment and neighborhood quality of life.

## V. PRELIMINARY STAFF RECOMMENDATION<sup>23</sup>

The staff recommends **DENIAL** of Zoning Docket 008/15, a request for a conditional use to permit a cocktail lounge in a HMC-2 Historic Marigny/Tremé Commercial District and an AC Arts & Cultural Overlay District.

## VI. REASONS FOR RECOMMENDATION

1. The request is in conflict with the requirements of the Frenchmen Street AC Arts & Cultural Overlay District, which limits the number and size of cocktail lounges in order to achieve a balance between daytime and nighttime uses in the Frenchmen Street corridor.
2. The proposed cocktail lounge would generate significant levels of noise and activity, which would likely be experienced well into the night. The cumulative impact of the noise and activity resulting from the proposed cocktail lounge and the existing cocktail lounges in the corridor could compromise the quality of life in the residential areas surrounding the Frenchmen Street corridor.

## VII. CITY PLANNING COMMISSION MEETING (JANUARY 13, 2015)

The City Planner summarized the request, noting that the applicant requested that the docket be deferred until the February 10, 2015 meeting. The applicant and two opponents provided public comments on this request. The speakers at the public hearing are listed on the attached public hearing speaker sheet.

Commissioner Brown asked about the 80%/20% mix of daytime/nighttime uses, and Commissioner Mitchell asked if there was any moratorium on cocktail lounges. The City Planner responded that the 80%/20% is part of the AC District purpose statement and that there was no moratorium on cocktail lounges. Commissioner Wedberg made a motion to

---

<sup>23</sup> Subject to modification by the City Planning Commission

defer the request until the February 10, 2015 City Planning Commission meeting. Commissioner Marshall seconded the motion and the motion passed unanimously.

**Motion**

BE IT MOVED BY THE CITY PLANNING COMMISSION THAT ZONING DOCKET 008/15 IS HEREBY RECOMMENDED FOR DEFERRAL UNTIL THE FEBRUARY 10, 2015 CITY PLANNING COMMISSION MEETING.

YEAS: Brown, Bryan Marshall, Mitchell, Steeg, Mora, Wedberg

NAYS: None

ABSENT: Duplessis, Hughes,

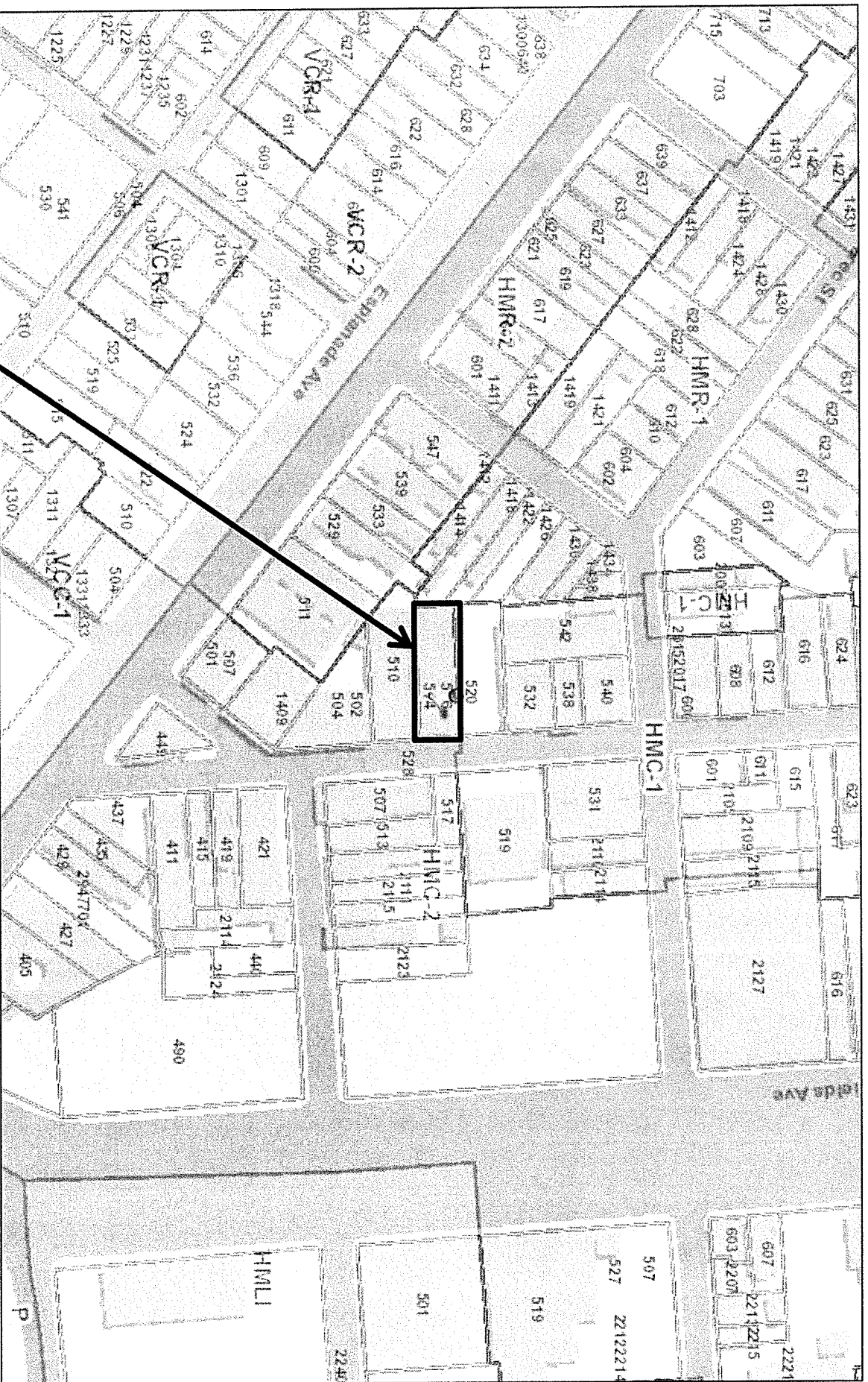
The motion passed.

**VIII. FURTHER CONSIDERATION**

The staff has received some additional information from the applicant. The applicant has submitted a floor plan with dimension that indicates the proposed cocktail lounge is 3,014 square feet. This is less than the 4,000 square foot maximum size for a live entertainment venue in the AC Arts & Cultural Overlay District. The floor plan indicates that the total size of the ground floor is 6,106 square feet. If the metal door remains, the combined venue would not meet the 4,000 square foot limitation on live entertainment venues. As of the latest revision to this report on January 28, 2015, the applicant has not provided any information that this metal door is required for egress by the fire marshal. The staff does not recommend any changes to the recommendation or the proposed provisos if the application is recommended for approval.



City of New Orleans Property Viewer



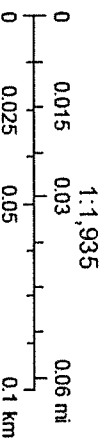
December 23, 2014

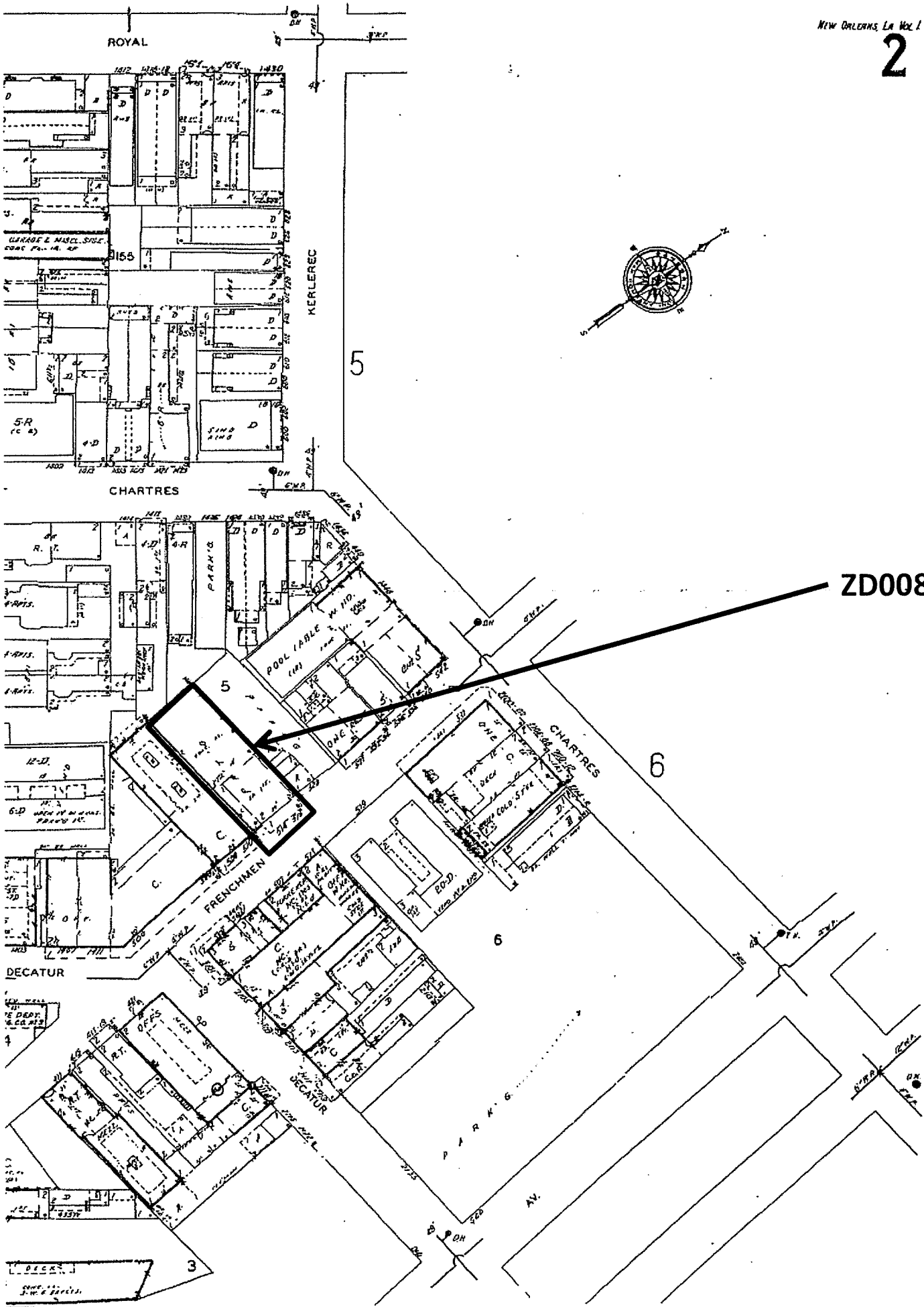


Override 1

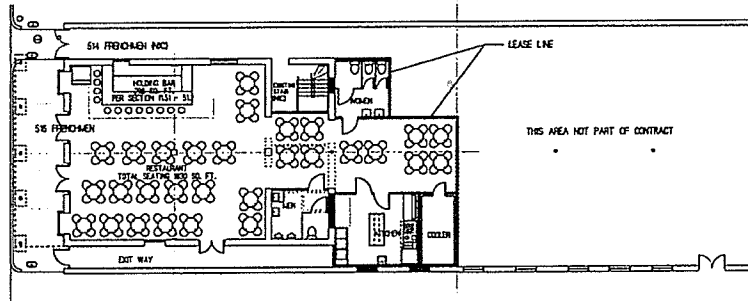
ZD008/15: 514 Frenchmen Street

HMC-2 Historic Marigny/Tremé Commercial District

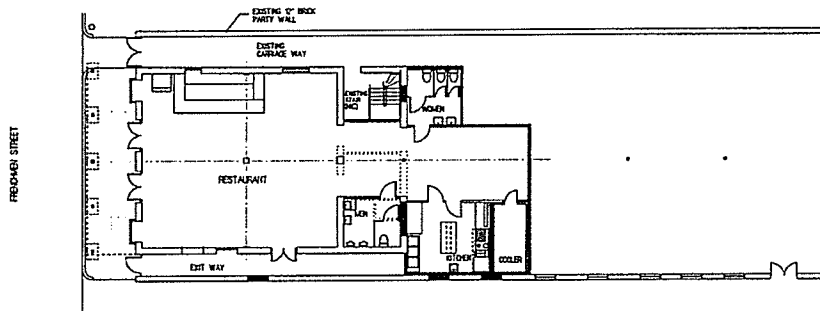




ZD008/15



FURNITURE LAYOUT  
SCALE 1/8" = 1'-0"



FIRST FLOOR PLAN  
SCALE 1/8" = 1'-0"

- LEGEND
- EXISTING WALLS TO REMAIN
  - ..... EXISTING WALLS REMOVED
  - ..... EXISTING WALLS REMOVED TO BE REINSTALLED TO MEET NEW EGRESS
  - NEW WALLS

THIS PLAN IS THE PROPERTY OF L. OWEN OLIVER & ASSOCIATES, INC. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF L. OWEN OLIVER & ASSOCIATES, INC.

L. OWEN OLIVER & ASSOCIATES  
ARCHITECTS

03-01-2013  
1302  
1 04-01-2013

TENANT RENOVATIONS TO 516 FRENCHMEN STREET

REVISED FIRST FLOOR PLAN  
FURNITURE LAYOUT

### Frenchmen Street Arts & Cultural Overlay District Informal Land Use Suvery

<b>Address</b>	<b>Business</b>	<b>Street</b>	<b>Type of Use</b>	<b>District</b>	<b>Informal Land Use Suvery</b>	<b>Occupational License</b>
				<b>Cocktail Lounge?</b>		
400 Elysian Fields	Central Parking		Parking Lot	N		
405 Esplanade	Hotel Monnaie		Hotel	N		
427 Esplanade	Residence		Residential	N		
<b>435 Esplanade</b>	<b>Dragon Den</b>		<b>Cocktail Lounge</b>	<b>Y</b>		<b>Full Service Restaurant</b>
<b>437 Esplanade</b>	<b>Miss Jean's/Mojitos</b>		<b>Cocktail Lounge</b>	<b>Y</b>		<b>Full Service Restaurant</b>
417 Frenchmen	Frenchman Hotel		Hotel	N		
421 Frenchmen	Louisiana Music Factory		Retail	N		
421 Frenchmen	Office		Office	N		
449 Esplanade	Fire Station		Institutional	N		
<b>501 Esplanade</b>	<b>Checkpoint Charles</b>		<b>Cocktail Lounge</b>	<b>Y</b>		<b>No Information Available</b>
505 Esplanade	Residential/Office		Residential and/or Office	N		
1409 Decatur	Residential/Office		Residential and/or Office	N		
<b>500 Frenchmen</b>	<b>Vaso</b>		<b>Restaurant/Cocktail Lounge</b>	<b>Y</b>		<b>Full Service Restaurant</b>
502 Frenchmen	Residential/Office		Residential and/or Office	N		
504 Frenchmen	Monas		Restaurant	N		
<b>508 Frenchmen</b>	<b>Maison</b>		<b>Restaurant/Cocktail Lounge</b>	<b>Y</b>		<b>Full Service Restaurant</b>
514 Frenchmen	Frenchman Theatre		Theater	N		
516 Frenchmen	Bamboula's		Restaurant	N		<b>Full Service Restaurant</b>
520 Frenchmen	Underconstruction		Underconstruction	N		
<b>532 Frenchmen</b>	<b>Blue Nile</b>		<b>Restaurant/Cocktail Lounge</b>	<b>Y</b>		<b>Full Service Restaurant</b>
<b>536 Frenchmen</b>	<b>Three Muses</b>		<b>Restaurant/Cocktail Lounge</b>	<b>Y</b>		<b>No Information Available</b>
538 Frenchmen	Residential/Office		Residential and/or Office	N		
542 Frenchmen	Praline Connection		Restaurant	N		
501 Frenchmen	Downtown Tattoo		Tattoo Parlor	N		
505 Frenchmen	Residential/Office		Residential and/or Office	N		
507 Frenchmen	NO AIDS		Office	N		
<b>517 Frenchmen</b>	<b>13</b>		<b>Restaurant/Cocktail Lounge</b>	<b>Y</b>		<b>Full Service Restaurant</b>
519 Frenchmen	Festiva Travel Services		Hotel	N		
<b>525 Frenchmen</b>	<b>Yuki</b>		<b>Restaurant/Cocktail Lounge</b>	<b>Y</b>		<b>No Information Available</b>
2106 Chartres	Residential/Office		Residential and/or Office	N		
601 Frenchmen	Dat Dog		Restaurant	N		
<b>609 Frenchmen</b>	<b>Apple Barrel</b>		<b>Cocktail Lounge</b>	<b>Y</b>		<b>Drinking Places (Alcoholic Beverages)</b>

Address	Business	Type of Use	Cocktail Lounge?	Occupational License
611 Frenchmen	Adolfo's	Restaurant	N	
615 Frenchmen	Vacant	Vacant	N	
617 Frenchmen	Frenchman Art Market	Outdoor Market	N	
<b>623 Frenchmen</b>	<b>Spotted Cat</b>	<b>Cocktail Lounge</b>	<b>Y</b>	<b>No Information Available</b>
2100 Royal	Residential	Residential	N	
2017 Chartres	Residential	Residential	N	
600 Frenchmen	Faubourg Art and Books	Retail	N	
602 Frenchmen	Frenchmen Grocery	Retail	N	
<b>606 Frenchmen</b>	<b>Café Negril</b>	<b>Restaurant/Cocktail Lounge</b>	<b>Y</b>	<b>Full Service Restaurant</b>
610 Frenchmen	Electric Ladyland	Tattoo Parlor	N	
<b>618 Frenchmen</b>	<b>d.b.a.</b>	<b>Cocktail Lounge</b>	<b>Y</b>	<b>Drinking Places (Alcoholic Beverages)</b>
620 Frenchmen	Office	Office	N	
622 Frenchmen	Michael Bike	Retail	N	
624 Frenchmen	Residential/Office	Residential and/or Office	N	
<b>626 Frenchmen</b>	<b>Snug Harbor</b>	<b>Restaurant/Cocktail Lounge</b>	<b>Y</b>	<b>Full Service Restaurant</b>
632 Frenchmen	Café Rose Nicaud	Restaurant	N	
634 Frenchmen	Residential/Office	Residential and/or Office	N	
640 Frenchmen	Café Marigny	Restaurant	N	
Total Uses		50		
Cocktail Lounges		14		
% Cocktail Lounges		28%		



514  
THE  
FRENCHMEN  
THEATRE

(4:00pm to 6:00pm)  
Ruddy, Ruddy & the Cats  
(Addition to 8:30pm)  
Merrill Shannon Band  
(No Open on 10:00am)  
December 25, Thursday

MERRY  
CHRISTMAS

MERRY  
CHRISTMAS

Barlow's





***Bamboula's***

**514 Frenchmen Street**

**New Orleans, LA 70116**

**CPC: Neighborhood Participation Project**

**Community Meeting**

**RE: Application to convert current Restaurant license to a Bar & Restaurant License**

**Meeting Minutes**

---

**Presented By:** Rebekah Williams

**Time/Location:** 10:30am

Bamboula's 514 Frenchmen Street New Orleans, LA 70116

---

**Attendees:** *(See Attached Sign-in Sheet)*

James Cahn, Ken Caron, Bernard Marino, Ben Dominach, Tierney Monaghan, Lisa Suarez, Vaughn Mordenti, Rebekah Williams, Peter Dilorio, Andre' Laborde

*Farbourg Marigny Improvement Association (FMIA):* Ken Caron, Lisa Suarez

**I. Introductions**

Welcome all those in attendance and introduce Rebekah Williams, Agent/ Representative of Bamboula's.

Rebekah Williams then called the meeting to order, introduced the topic for discussion and opened a round table conversation, encouraging all attendees to speak freely about the above stated topic.



## II. Questions/ Discussion

- 1.) **(Asked By: James Cahn)** Why are you applying for a different type of license?  
**(Response: Rebekah W.)** *Prior to Bamboula's opening there was a moratorium in place with the City of New Orleans that prevented the type of license we are seeking now from being issued. That moratorium has since expired without renewal so we are now applying to be licensed as a Bar (and Restaurant) rather than solely a restaurant.*
  
- 2.) **(Asked by: Bernard Caron)** What's the difference between the type of license you have now and the one that you are seeking?  
**(Response: Rebekah W.)** *The main difference has to do with sales percentages: When you are licensed solely as a restaurant state law requires you to meet certain sales requirements; specifically, food sales must equal more than 50 percent of your overall revenue. When you are licensed as a Bar (that serves food) as we will be, those sales percentage requirement laws do not apply.*
  
- 3.) **(Asked By: Ken Caron)** What Services do you provide that benefit the immediate Community?  
**(Response By: Rebekah W.)** *First of all: We took a dilapidated building that was vacant, graffiti covered and an eyesore on the street and worked very hard, for over a year, invested more than \$1 million in the property to restore, improve and return it to commerce. It now conforms to the historical era and character of the neighborhood and is a beautiful testament to both the growth and stability of Frenchmen Street and the surrounding community. We are a large location and employ residents of the neighborhood; we are also open during the day (at 11:00am) to serve lunch, which ultimately provides more daytime services on Frenchmen street. We also provide live entertainment on a daily basis for our guests. That entertainment is in form of music; all performed by local musicians, students, members of NOCA and other community based organizations. This gives them an avenue to support their families, hone their craft and promote the culture of music that helps to set our city and specifically our community apart from any other in the world.*

## III. Roundtable Results

Over all the meeting went very well. All attendees were outspoken and engaged in the process. The topic and purpose of the meeting was made clear. Questions, answers and discussions flowed freely and easily.

Based upon this meeting and the dialogue that ensued due to the forum we found only minimal opposition, and only by two people in attendance. Although we, Bamboula's, answered all of their questions and addressed all of their concerns, they stated that they would not be persuaded to support any applicant or application of this nature. Moreover, the majority in attendance, both local business owners and residents of the community showed open and outspoken support and approval of our application. These persons have pledged to make their support known to the City Planning Commission and the City Council. Letters of consent and endorsement from those in support will be submitted to the Commission for its further review and consideration.

**MONTGOMERY LAW CENTER, LLC**

Connie S. Montgomery, Attorney

Connie Montgomery

1011 Veterans Memorial Blvd. Metairie, LA

Phone: 504-598-5666

▶ City Planning Commission; City of New Orleans  
City Council : City of New Orleans

Dear Commission and Council Members :

To supplement my clients petition: Bamboula's, located at 514 Frenchmen Street, and their efforts to convert their current licensing status from a *Class A Standard Restaurant* to a licensed *Bar/Cocktail Lounge and Restaurant* I have reviewed the current zoning and overlay guidelines outlined in the City of New Orleans Comprehensive Zoning Ordinance and Municipal Code.

As stated in the Municipal Code:

- **Section 10.13. - AC Arts & Cultural Overlay District.**

*10.13.1. Purpose of the District.*

The purpose of the Arts & Cultural Overlay District is to sustain established and to promote new arts and cultural uses including a limited number of small-scale (up to 4,000 square feet) live entertainment venues in neighborhood business or mixed use areas that are compatible with the character of nearby residential neighborhoods. The Arts & Cultural Overlay District seeks to maintain and reinforce small-scale uses, a balance of daytime and night-time uses, and a ratio of approximately twenty (20) percent cocktail lounges and eighty (80) percent other uses.

*(Ord. 21,813 § 1 (part), adopted 12/16/04)*


*10.13.2. Areas of Applicability.*

This district is intended for application to a commercially-zoned, minimum two (2) contiguous block area, when initiated by City Council motion, and when the area proposed for application is designated as an Arts and Cultural Corridor in the Arts & Culture Element of the City's Master Plan.

Therefore, please review the attached business survey conducted of the two (2) contiguous blocks of Frenchmen Street located between the 400-600 blocks. This study clearly shows the current percentage of cocktail lounges to other uses is 13.8%. Therefore by allowing the addition of Bamboula's request would only accelerate that percentage to 16.6%, still not exceeding the 80/20 rule defined in the Arts and Cultural Overlay District Guidelines. For your convenience I have attached a copy of the study conducted in order to conclude my findings.

Please don't hesitate to contact me should you have any questions.

With Regards,

  
Connie S. Montgomery, Atty

**FRENCHMEN STREET BUSINESSES & CURRENT LOCAL LICENSING STATUS**

Street Number	Trade Name	Location Address	Zoning District	Type of Business	As Licensed w/ Revenue/ASO	Owner Name	Phone Number	Notes
405	Ms. Jeans Place	405 Frenchmen St New Orleans, LA 70116	HMC 2	Restaurant	Standard Restaurant		504-252-4800	Addressed @ 437 Esplanade
417	Frenchmen Hotel	417 Frenchmen St New Orleans, LA 70116	HMC 2	Hotel	Hotel		504-945-5443	
421	Louisiana Music Factory	421 Frenchmen St New Orleans, LA 70116	HMC 2	Retail/Music Store	Retail Outlet		504-586-1094	
421	Dolce Advertisement	421 Frenchmen St New Orleans, LA 70116	HMC 2	Advertising/ Media	Business Agency		504-949-9052	
421	OffBeat Magazine	421 Frenchmen St New Orleans, LA 70116	HMC 2	Media/ Publications	Publication		504-944-4300	
501	Downtown Tattoos	501 Frenchmen St New Orleans, LA 70116	HMC 2	Tattoos	Tattoo Parlor		504-266-2211	
507	NO/AIDS Task Force	507 Frenchmen St New Orleans, LA 70116	HMC 2	Community Service	Social Services		504-945-4000	
517	13 Monaghan	517 Frenchmen St New Orleans LA 70116	HMC 2	Restaurant	Restaurant		504-942-1345	
519	Frenchmen Orleans	519 Frenchmen St New Orleans LA 70116	HMC 1	Hotel/ Time Share	Condominium/Hotel		504-943-3100	
525	YUKI	525 Frenchmen St New Orleans LA 70116	HMC 1	Restaurant/Bar	Restaurant		504-943-1122	
2100	Café Brazil	2100 Chartres St New Orleans, LA 70116	HMC 1	Bar	Reported Vacant		504-949-0851	
1407	Vaso Lounge	1407 Decatur St New Orleans, LA 70116	HMC 2	Restaurant	Restaurant		504-272-0929	
504	Mona's Café	504 Frenchmen St New Orleans, LA 70116	HMC 2	Restaurant	Restaurant		504-949-4115	
508	Maison	508 Frenchmen St New Orleans, LA 70116	HMC 2	Restaurant/ Bar	Not Reported			4 Individual Units
514	Bamboula's	514 Frenchmen St New Orleans, LA 70116	HMC 2	Restaurant/Bar	Restaurant/Bar		504-371-5543	
516	Festival Hall Theatre	516 Frenchmen St New Orleans, LA 70116	HMC 2	Theatre	Theatre		504-944-8461	
520	BUSINESS UNDER CONSTRUCTION	520 Frenchmen St New Orleans, LA 70116	HMC 1	Restaurant/Bar	Pending		504-944-8464	
534	Blue Nile	534 Frenchmen St New Orleans, LA 70116	HMC 1	Bar	Bar		504-948-2583	
536	Three Muses	536 Frenchmen St New Orleans, LA 70116	HMC 1	Restaurant/Bar	Restaurant		504-298-8746	
542	Praline Connection	542 Frenchmen St New Orleans, LA 70116	HMC 1	Restaurant	Restaurant		504-943-3934	
600	Faubourg Marigny/ Fab On Frenchmen	600 Frenchmen St New Orleans, LA 70116	HMC 1	Retail/ Book Store	Retail		504-947-3700	
602	Frenchmen Dell	602 Frenchmen St New Orleans, LA 70116	HMC 1	Grocery/ Dell	Grocery/Dell		504-944-6800	
606	Café Negri	606 Frenchmen St New Orleans, LA 70116	HMC 1	Restaurant	Restaurant		504-944-4744	
622	Michael's Bicycles	622 Frenchmen St New Orleans, LA 70116	HMC 1	Retail/ Bike Repair	Retail		504-944-3731	
618	DBA	618 Frenchmen St New Orleans, LA 70116	HMC 1	Bar	Bar		504-942-3731	
626	Snug Harbor	626 Frenchmen St New Orleans, LA 70116	HMC 1	Restaurant/ Bar	Restaurant		504-949-0696	
632	Café Rose Nilcaud	632 Frenchmen St New Orleans, LA 70116	HMC 1	Café/ Coffee	Grocery		504-949-3300	
640	Marigny Brassiere	640 Frenchmen St New Orleans, LA 70116	HMC 1	Restaurant	Café/ Restaurant		504-945-4472	
601	Dat Dog Restaurant	601 Frenchmen St New Orleans, LA 70116	HMC 1	Restaurant	Restaurant		504-948-3800	
611	Adolfo's Restaurants	611 Frenchmen St New Orleans, LA 70116	HMC 1	Restaurant	Restaurant		504-309-3362	
609	Apple Barrail Bar	609 Frenchmen St New Orleans, LA 70116	HMC 1	Restaurant/ Bar	Restaurant		504-948-3800	
623	Spotted Cat	611 Frenchmen St New Orleans, LA 70116	HMC 1	Bar	Bar		504-941-1149	
619	Flea Market/Lot	619 Frenchmen St New Orleans, LA 70116	HMC 1	Retail/ Flea Market	Retail		504-949-0312	
2110	St. Christophers Inn	2110 Royal St New Orleans, LA 70116	HMC 1	Apartments	Not Reported		504-949-0312	
610	Electric Ladyland Tattoos	610 Frenchmen St New Orleans, LA 70116	HMC 1	Tattoo Parlor	Tattoo Parlor		504-947-8286	

Organization Name: Seventh Ward Neighborhood Association

Point of Contact: Dr. Mona Lisa Saloy

Phone Number: 504-343-0689

Email: [seventhwardassoc@aol.com](mailto:seventhwardassoc@aol.com)

Street Address: P.O. Box 8411

City: New Orleans

Zip: 70182

Organization Name: Faubourg Marigny Improvement Association

Point of Contact: Miles Swanson

Phone Number: 504-710-8789

Email: [president@faubourgmarigny.org](mailto:president@faubourgmarigny.org)

Street Address: 2401 Burgundy Street, Box 10

City: New Orleans

Zip: 70117

Organization Name: Citizens Action Committee

Point of Contact: Anthony N. Johnson

Phone Number: 504-598-4032

Email: [tonyberu@cox.net](mailto:tonyberu@cox.net)

Street Address: 1427 Dauphine Street

City: New Orleans

Valerie McMillan

City Planner

Print

<https://us-mg6.mail.yahoo.com/neo/launch?.rand=05f6n0hq4mm5l#3...>

**New Orleans City Planning Commission**

**1300 Perdido Street # 7W03**

**New Orleans, LA 70112**

**504.658.7007**

Applicant Name	Address	City	ST	Zipcode
Cahn Jules L	Et Al 901 Tchoupitoulas St	New Orleans	LA	70130
Moore Curtis Jr	Cecil Kaigler 542 Frenchmen St	New Orleans	LA	70116
New Orleans Timeshare, L.L.C.	1440 Bourbon St	New Orleans	LA	70116
Intercity Escrow Services	6210 Stoneridge Mall Rd Ste 140	Pleasanton	CA	94588
Intercity Escrow Services	6210 Stoneridge Mall Rd	Pleasanton	CA	94588
Intercity Escrow Services	6210 Stoneridge Mall Rd			140
Bodenheimer Ruth S	547 Esplanade Ave	New Orleans	LA	70116
Brave New World Invest L L C	P.O Box 729	Kings Beach	CA	96143
501 Esplanadel L C	2133 St Charles Av	New Orleans	LA	70130
Hamilton Catherine L	Etals C/O Mooring Tax Asset	Atlanta	GA	30384
Monala LLC	2423 Decatur St	New Orleans	LA	70117
Strub Richard L	529 Esplanade Av	New Orleans	LA	70116
Strub Richard L	529 Esplanade Avenue	New Orleans	LA	70116
Jwl Number Six LLC	P.O. Box 4009	New Orleans	LA	70178
Plaisance Johnny	539 Esplanade Avenue	New Orleans	LA	70116
Wegmann Mary K	2019 Chartres St	New Orleans	LA	70116
Perrow Jonathan F	600 Kerlerec Street	New Orleans	LA	70116
Alford Henry J	Milo B Kennedy	New Orleans	LA	70116
606-12 Frenchmenstreet LLC	901 Tchoupitoulas St	New Orleans	LA	70130
Cahn James L	901 Tchoupitoulas St	New Orleans	LA	70130
611 Esplanade,Llc	23747 Highway 40	Bush	LA	70431
613-617 Esplanadeave Assc	Inc C/O Jean Lafitte House	New Orleans	LA	70116
Jones Brian R	611 Kerlerec St	New Orleans	LA	70116
El-Jaouhari LLC	1122 Decatur St	New Orleans	LA	70116
J & R Rental Properties L L C	Et Al	New Orleans	LA	70116
Craig Anna M	7273 Canal Bl	New Orleans	LA	70152
Kenny Robert T	524 Esplanade Ave	New Orleans	LA	70124-3
Cummings Sean B	544 Esplanade Ave	New Orleans	LA	70116
Chesnut Stephen N	1413 Chartres St	New Orleans	LA	70116
Sawyer Jack M	1414 Chartres St	New Orleans	LA	70116
Chartres Streetcondos ,Llc	212 Veterans Blvd	New Orleans	LA	70116
Melcher Eyan D	Etal	Metairie	LA	70005
Rausa Michael	1416 Monroe Avenue	San Diego	CA	92116
Boasso Lawrence J	1418 Chartres Stunit C	New Orleans	LA	70116
Drobish Camilla F	222 Wilkinson St	Mandeville	LA	70448
	319 Adrienne Street	Lafayette	LA	70506

Mccardell James E	307 St John Street	Bay St Louis	MS	39520
Mc Cardell James E	307 St John Street	Bay St Louis	MS	39520
Kirchberg Karl J	13344 Chef Menteur Hw., A & B	New Orleans	LA	70129
The 1421 Chartres St	Condominium	New Orleans	LA	70116
Brave New Worldinvestment	Box 163	Crystal Bay	NV	89402
Carvalho Richard J	2005 Chartres St	New Orleans	LA	70116
Wegmann Mary K	2019 Chartres St	New Orleans	LA	70119
Salgado Adgenor	2100 Chartres St	New Orleans	LA	70116
Needham Jeanette Z	Etals	New Orleans	LA	70116
Kirshner Richard J	2109 Decatur St	New Orleans	LA	70116
Kirshner Richard J	2109 Decatur St	New Orleans	LA	70116
Kirshner Richard J	2109 Decatur St	New Orleans	LA	70116
Mitchell James A	5036 Yale St	New Orleans	LA	70116
Hero George A	429 Planters Canal Rd	Metairie	LA	70006
Ducote Wayne C	C/O Tchoupitoulas Partners	Belle Chasse	LA	70037
Ducote Wayne C	C/O Tchoupitoulas Partners	New Orleans	LA	70130
Means William H Jr	101 Stratmore Circle	New Orleans	LA	70116
Bena Capital LLC	516 Frenchmen St	New Orleans	LA	70130
Kfk Acquisitions LLC	1205 St Charles Ave Ste D	New Orleans	LA	70130
Kfk Acquisitions LLC	1205 St Charles Ave Ste D	New Orleans	LA	70130
Hotel Villa Convento LLC	616 Ursuline St	New Orleans	LA	70116
Brave New World Invest L L C	P.O. Box 729	Kings Beach	CA	96143
French Market Corporation	1008 N Peters St	New Orleans	LA	70116
Bishop Darrell K	1101 Saint Paul St.	Baltimore	MD	21202
Mccardell Patrick M	1421 Chartres St	New Orleans	LA	70116
Mc Cardell Patrick	1421 Chartres Street	New Orleans	LA	70116
Frenchmen Street LLC	421 Hector Ave	Metairie	LA	70005
Esteve Philip J	1317 Pasadena Ave.	Metairie	LA	70001
Kfk Acquisitions LLC	1205 St Charles Ave Ste D	New Orleans	LA	70130
Bana, LLC	2015 Magazine St	New Orleans	LA	70130
The 524 Shop LLC	412 East 31St Ave	Covington	LA	70433
Frenchmen Hotel Properties LLC	2420 Athania Parkway Suite 200	Metairie	LA	70001
Ddfrenchmen LLC	601 Frenchmen St	New Orleans	LA	70116
Frenchmen Hotel Properties LLC	2420 Athania Parkway Suite 200	Metairie	LA	70001
Intercity Escrow Services	6210 Stoneridge Mall Rd	Pleasanton	CA	94588
Hart Guy F	4612 Lakewood Dr	Metairie	LA	70002
City Of New Orleans	1300 Perdido St Room 5W17	New Orleans	LA	70112

City Of New Orleans	1300 Perdido St Room 5W17	New Orleans	LA	70112
City Of New Orleans	1300 Perdido St Room 5W17	New Orleans	LA	70112
Pts Properties, LLC	3016 River Oaks Dr.	Monroe	LA	71211
Mccardell Patrick M	1421-23 Chartres St	New Orleans	LA	70116
Ballero Geoffrey L	1432 Chartres St	New Orleans	LA	70116
Pofranx LLC	87 Flamingo Street	New Orleans	LA	70124
Pofranx LLC	87 Flamingo Street	New Orleans	LA	70124
Gates Jarvis L	511 Marigny St, Apt 106	New Orleans	LA	70117
Kearby Norma L	P.O. Box 33004	Santa Fe	NM	87594
511 Esplanade Avel LC	C/O Loreta Doussan	Metairie	LA	70005
Cahn Jules L	P O Box 52005	New Orleans	LA	70152-
Johnson Hugh A	1418 Chartres St Unit B	New Orleans	LA	70116
Sizemore Properties LLC	1720 Nicholson Dr	Baton Rouge	LA	70802
Dupuy Mark B	471 Dorado Dr	Mandeville	LA	70471
Marino Bernard J 3	1418 Chartres St Unit D	New Orleans	LA	70116
Boesch George E Jr	1218 Southridge Dr	Mandeville	LA	70448
Oilar Michael	1418 Chartres St Unith	New Orleans	LA	70116
Beno 5 LLC	1239 First St	New Orleans	LA	70130
Libby-Haines Noah L	1440 Chartres St	New Orleans	LA	70116
Thomas Shawnmary	Etal	New Orleans	LA	70116
Perasso William R	2109 Chartres St	New Orleans	LA	70116
Intercity Escrow Services	5960 Inglewood Dr	Pleasanton	CA	94588
Cresson Charles E	5518 Canal Blvd	New Orleans	LA	70124
Cambray Quarter, LLC	87 Flamingo St	New Orleans	LA	70124
Norma L Kearby Revocable Trust	P.O. Box 33004	Santa Fe	NM	87594-3
Perasso William R	565 Geary St #105	San Francisco	CA	94102
	Unit 5			
	400 Metairie Hammon			
	#35			
	1421 Chartres St Unit :			
	Suite 125			



Address	Contact
<b>524 Esplanade Ave</b>	Kenny Robert T 524 Esplanade Ave, New Orleans, LA 70116
<b>2112 Chartres St</b>	Mitchell James A
Artist Design Group	5036 Yale St, Metairie, LA 70006
<b>1446 Chartres St</b>	Brave New Worldinvestment
Praline Connection - Special Event	Box 163, Crystal Bay, NV 89402
<b>2124 Decatur St</b>	Ducote Wayne C
	C/O Tchoupitoulas Partners 601 Poydras St Suite 2011, New Orleans,
<b>533 Esplanade Ave</b>	Strub Richard L
<b>1428 Chartres St</b>	529 Esplanade Avenue, New Orleans, LA 70116
<b>2111 Chartres St</b>	Pofranx LLC
<b>1426 Chartres St</b>	87 Flamingo Street, New Orleans, LA 70124
<b>519 Frenchmen St</b>	Perasso William R
Festiva Travel Services	565 Geary St #105, San Francisco, CA 94102
<b>2109 Decatur St</b>	The 1421 Chartres St
Scott Edwards Photography	Condominium, New Orleans, LA 70116
<b>516 Frenchmen St</b>	New Orleans Timeshare, L.L.C.
<b>611 Esplanade Ave</b>	1440 Bourbon St, New Orleans, LA 70116
<b>2005 Chartres St</b>	Kirshner Richard J
<b>2100 Chartres St</b>	2109 Decatur St, New Orleans, LA 70116
<b>618 Kerlerec St</b>	Bena Capital LLC
<b>547 Esplanade Ave</b>	516 Frenchmen St, New Orleans, LA 70116
Lanaux Mansion	611 Esplanade,Llc
<b>1413 Chartres St</b>	23747 Highway 40, Bush, LA 70431
<b>2100 Chartres St</b>	Carvalho Richard J
<b>618 Kerlerec St</b>	2005 Chartres St, New Orleans, LA 70116
<b>547 Esplanade Ave</b>	Salgado Adgenor
Lanaux Mansion	2100 Chartres St, New Orleans, LA 70116
<b>1413 Chartres St</b>	Kfk Acquisitions LLC
<b>547 Esplanade Ave</b>	1205 St Charles Av Suite D, New Orleans, LA 70130
Lanaux Mansion	Bodenheimer Ruth S
<b>1413 Chartres St</b>	547 Esplanade Ave, New Orleans, LA 70116
<b>547 Esplanade Ave</b>	Chesnut Stephen N

	1413 Chartres St, New Orleans, LA 70116
<b>510 Esplanade Ave</b>	Means William H Jr
	101 Stratmore Circle, Bossier City, LA 71111
<b>601 Frenchmen St</b>	Ddfrenchmen LLC
	601 Frenchmen St, New Orleans, LA 70116
<b>534 Frenchmen St</b>	Sizemore Properties LLC
Blue Nile	1720 Nicholson Dr #35, Baton Rouge, LA 70802
<b>601 Kerlerec St</b>	Kfk Acquisitions LLC
	1205 St Charles Ave Ste D, New Orleans, LA 70130
<b>544 Esplanade Ave</b>	Cummings Sean B
	544 Esplanade Ave, New Orleans, LA 70116
<b>614 Kerlerec St</b>	Kfk Acquisitions LLC
	1205 St Charles Ave Ste D, New Orleans, LA 70130
<b>508 Frenchmen St</b>	Cahn Jules L
Louisiana Gaming Operations	Et Al 901 Tchoupitoulas St, New Orleans, LA 70130
<b>417 Frenchmen St</b>	Frenchmen Hotel Properties LLC
A Hotel The Frenchmen	2420 Athania Parkway Suite 200, Metairie, LA 70001
<b>421 Frenchmen St</b>	Frenchmen Street LLC
Jeffery T. Greenberg,Aplic	421 Hector Ave, Metairie, LA 70005
<b>517 Frenchmen St</b>	Monala LLC
David J Larson	2423 Decatur St, New Orleans, LA 70117
<b>501 Frenchmen St</b>	Cresson Charles E
	5518 Canal Blvd, New Orleans, LA 70124
<b>500 Frenchmen St</b>	Brave New World Invest L L C
Mona's Cafe	P.O Box 729, Kings Beach, CA 96143
<b>529 Esplanade Ave</b>	Strub Richard L
	529 Esplanade Av, New Orleans, LA 70116
<b>539 Esplanade Ave</b>	Plaisance Johnny
	539 Esplanade Avenue, New Orleans, LA 70116
<b>520 Esplanade Ave</b>	Cahn Jules L
	P O Box 52005, New Orleans, LA 70152- 0
<b>626 Kerlerec St</b>	Pluta Virginia
	626 Kerlerec St, New Orleans, LA 70116
<b>613 Esplanade Ave</b>	613-617 Esplanadeave Assc
	Inc C/O Jean Lafitte House 613 Esplanade Ave, New Orleans, LA 7011
<b>411 Frenchmen St</b>	Frenchmen Hotel Properties LLC

	2420 Athania Parkway Suite 200, Metairie, LA 70001
<b>2116 Chartres St</b>	Hart Guy F
	4612 Lakewood Dr, Metairie, LA 70002
<b>2105 Decatur St</b>	Hotel Villa Convento LLC
	616 Ursuline St, New Orleans, LA 70116
<b>1415 Chartres St</b>	Gates Jarvis L
	511 Marigny St, Apt 106, New Orleans, LA 70117
<b>2113 Chartres St</b>	Bcno 5 LLC
Courtney B Black	1239 First St, New Orleans, LA 70130
<b>1418 Chartres St</b>	Oilar Michael
	1418 Chartres St Unith, New Orleans, LA 70116
<b>530 Esplanade Ave</b>	Craig Anna M
	7273 Canal Bl, New Orleans, LA 70124-3501
<b>1440 Chartres St</b>	Libby-Haines Noah L
	1440 Chartres St, New Orleans, LA 70116
<b>2011 Chartres St</b>	Wegmann Mary K
	2019 Chartres St, New Orleans, LA 70119
<b>2119 Decatur St</b>	Hero George A
	429 Planters Canal Rd, Belle Chasse, LA 70037
<b>2019 Chartres St</b>	Wegmann Mary K
Faubourg Marigny Art & Books, Frenchmen Deli	2019 Chartres St, New Orleans, LA 70116
<b>2105 Chartres St</b>	Needham Jeanette Z
Steven Morgan	Etals 2105 Chartres St, New Orleans, LA 70116
<b>405 Frenchmen St</b>	El-Jaouhari LLC
Mojitos	1122 Decatur St, New Orleans, LA 70116
<b>1422 Chartres St</b>	Cambay Quarter, LLC
	87 Flamingo St, New Orleans, LA 70124
<b>2117 Decatur St</b>	Kirshner Richard J
	2109 Decatur St, New Orleans, LA 70116
<b>1421 Chartres St</b>	Mc Cardell James E
	307 St John Street, Bay St Louis, MS 39520
<b>2122 Decatur St</b>	Ducote Wayne C
	C/O Tchoupitoulas Partners 601 Poydras St Suite 2011, New Orleans,
<b>2123 Decatur St</b>	French Market Corporation
	1008 N Peters St, New Orleans, LA 70116
<b>1432 Chartres St</b>	Ballero Geoffrey L

	1432 Chartres St, New Orleans, LA 70116
<b>1436 Chartres St</b>	Pofranx LLC
	87 Flamingo Street, New Orleans, LA 70124
<b>536 Frenchmen St</b>	Jwl Number Six LLC
Three Muses	P.O. Box 4009, New Orleans, LA 70178
<b>2111 Decatur St</b>	Kirshner Richard J
	2109 Decatur St, New Orleans, LA 70116
<b>511 Esplanade Ave</b>	511 Esplanade Avel L C
	C/O Loretta Doussan 400 Metairie Hammond Highway #3B, Metairie,
<b>622 Kerlerec St</b>	Morrison Benjamin A
	622 Kerlerec St, New Orleans, LA 70116- 701
<b>1414 Chartres St</b>	Sawyer Jack M
	1414 Chartres St, New Orleans, LA 70116
<b>500 Elysian Fields Ave</b>	City Of New Orleans
	1300 Perdido St Room 5W17, New Orleans, LA 70112
<b>608 Kerlerec St</b>	Dupuy Mark B
La Maison Faubourg Marigny Guest House	471 Dorado Dr, Mandeville, LA 70471
<b>601 Esplanade Ave</b>	Alford Henry J
	Milo B Kennedy 601 Esplanade Av Apt 1, New Orleans, LA 70116
<b>600 Kerlerec St</b>	Perrow Jonathan F
	600 Kerlerec Street, New Orleans, LA 70116
<b>449 Esplanade Ave</b>	City Of New Orleans
	1300 Perdido St Room 5W17, New Orleans, LA 70112
<b>505 Esplanade Ave</b>	501 Esplanadel L C
	2133 St Charles Av, New Orleans, LA 70130
<b>540 Frenchmen St</b>	Moore Curtis Jr
	Cecil Kaigler 542 Frenchmen St, New Orleans, LA 70116
<b>606 Frenchmen St</b>	606-12 Frenchmenstreet LLC
Cafe Negril	901 Tchoupitoulas St, New Orleans, LA 70130
<b>2114 Decatur St</b>	Norma L Kearby Revocable Trust
	P.O. Box 33004, Santa Fe, NM 87594-3004
<b>519 Frenchmen St</b>	New Orleans Timeshare, L.L.C.
Festiva Travel Services	1440 Bourbon St, New Orleans, LA 70116
<b>519 Frenchmen St 102</b>	Intercity Escrow Services
Festiva Travel Services	6210 Stoneridge Mall Rd Ste 140, Pleasanton, CA 94588
<b>519 Frenchmen St 103</b>	New Orleans Timeshare, L.L.C.

Festiva Travel Services	1440 Bourbon St, New Orleans, LA 70116
<b>519 Frenchmen St 104</b>	New Orleans Timeshare, L.L.C.
Festiva Travel Services	1440 Bourbon St, New Orleans, LA 70116
<b>519 Frenchmen St 105</b>	New Orleans Timeshare, L.L.C.
Festiva Travel Services	1440 Bourbon St, New Orleans, LA 70116
<b>519 Frenchmen St 106</b>	New Orleans Timeshare, L.L.C.
Festiva Travel Services	1440 Bourbon St, New Orleans, LA 70116
<b>519 Frenchmen St 107</b>	New Orleans Timeshare, L.L.C.
Festiva Travel Services	1440 Bourbon St, New Orleans, LA 70116
<b>519 Frenchmen St 201</b>	Intercity Escrow Services
Festiva Travel Services	6210 Stoneridge Mall Rd Suite 140, Pleasanton, CA 94588
<b>519 Frenchmen St 202</b>	Intercity Escrow Services
Festiva Travel Services	6210 Stoneridge Mall Rd Suite 140, Pleasanton, CA 94588
<b>519 Frenchmen St 203</b>	Intercity Escrow Services
Festiva Travel Services	6210 Stoneridge Mall Rd Ste 140, Pleasanton, CA 94588
<b>519 Frenchmen St 204</b>	Intercity Escrow Services
Festiva Travel Services	6210 Stoneridge Mall Rd Ste 140, Pleasanton, CA 94588
<b>519 Frenchmen St 205</b>	Intercity Escrow Services
Festiva Travel Services	6210 Stoneridge Mall Rd Suite 140 140
<b>519 Frenchmen St 206</b>	Intercity Escrow Services
Festiva Travel Services	6210 Stoneridge Mall Rd Ste 140, Pleasanton, CA 94588
<b>519 Frenchmen St 207</b>	Intercity Escrow Services
Festiva Travel Services	6210 Stoneridge Mall Rd Ste 140, Pleasanton, CA 94588
<b>519 Frenchmen St 301</b>	Intercity Escrow Services
Festiva Travel Services	6210 Stoneridge Mall Rd Suite 140, Pleasanton, CA 94588
<b>519 Frenchmen St 302</b>	Intercity Escrow Services
Festiva Travel Services	6210 Stoneridge Mall Rd Ste 140, Pleasanton, CA 94588
<b>519 Frenchmen St 303</b>	Intercity Escrow Services
Festiva Travel Services	5960 Inglewood Dr Suite 125, Pleasanton, CA 94588
<b>519 Frenchmen St 304</b>	New Orleans Timeshare, L.L.C.
Festiva Travel Services	1440 Bourbon St, New Orleans, LA 70116
<b>519 Frenchmen St 305</b>	New Orleans Timeshare, L.L.C.
Festiva Travel Services	1440 Bourbon St, New Orleans, LA 70116
<b>519 Frenchmen St 306</b>	New Orleans Timeshare, L.L.C.
Festiva Travel Services	1440 Bourbon St, New Orleans, LA 70116
<b>520 Esplanade Av</b>	J & R Rental Properties L L C

	Et Al P O Box 52005, New Orleans, LA 70152
<b>519 Frenchmen St 101</b>	Intercity Escrow Services
Festiva Travel Services	6210 Stoneridge Mall Rd Ste 140, Pleasanton, CA 94588
<b>1418 Chartres St A</b>	Chartres Streetcondos ,Llc
	212 Veterans Blvd, Metairie, LA 70005
<b>1418 Chartres St A2</b>	Melcher Evan D
	Etal 1416 Monroe Avenue, San Diego, CA 92116
<b>1418 Chartres St B</b>	Johnson Hugh A
	1418 Chartres St Unit B, New Orleans, LA 70116
<b>1418 Chartres St C</b>	Rausa Michael
	1418 Chartres Stunit C, New Orleans, LA 70116
<b>1418 Chartres St D</b>	Marino Bernard J 3
	1418 Chartres St Unit D, New Orleans, LA 70116
<b>1418 Chartres St E</b>	Boasso Lawrence J
	222 Wilkinson St, Mandeville, LA 70448
<b>1418 Chartres St F</b>	Boesch George E Jr
	1218 Southridge Dr, Mandeville, LA 70448
<b>1418 Chartres St G</b>	Drobish Camilla F
	319 Adrienne Street, Lafayette, LA 70506
<b>1421 Chartres St 1</b>	Pts Properties, LLC
	3016 River Oaks Dr., Monroe, LA 71211
<b>1421 Chartres St 2</b>	Pts Properties, LLC
	3016 River Oaks Dr., Monroe, LA 71211
<b>1421 Chartres St 3</b>	Mccardell James E
	307 St John Street, Bay St Louis, MS 39520
<b>1421 Chartres St 4</b>	Thomas Shawnmary
	Etal 1421 Chartres St Unit #4, New Orleans, LA 70116
<b>1421 Chartres St 5</b>	Mccardell Patrick M
	1421-23 Cartres St Unit 5, New Orleans, LA 70116
<b>1421 Chartres St 6</b>	Mccardell Patrick M
	1421 Chartres St # 6, New Orleans, LA 70116
<b>1421 Chartres St 7</b>	Mc Cardell Patrick
	1421 Chartres Street #6, New Orleans, LA 70116
<b>519 Frenchmen St</b>	New Orleans Timeshare, L.L.C.
Festiva Travel Services	1440 Bourbon St, New Orleans, LA 70116
<b>520 Frenchmen St</b>	The 524 Shop LLC

412 East 31st Ave, Covington, LA 70433

<b>415 Frenchmen St</b>	
<b>1407 Decatur St</b>	
<b>500 Frenchmen St</b>	
<b>535 Barracks St</b>	
<b>534 Esplanade Ave</b>	

## CPCinfo

---

**From:** Lisa Suarez <president@faubourgmarigny.org>  
**Sent:** Monday, January 05, 2015 10:28 AM  
**To:** CPCinfo  
**Cc:** Gretchen Bomboy; Kash Schriefer  
**Subject:** DOCKET # 008/15  
**Attachments:** Bamboula's & Frenchmen St 1.jpeg; Amplified Live Music Bamboula Frenchmen.jpg; Bamboula's & Frenchmen St (3).jpeg; Speakers Bamboula Frenchmen.jpg

January 5, 2015

DOCKET # 008/15

City Planning Commission

City of New Orleans

1300 Perdido Street

New Orleans, LA 70112

---

Dear Commissioners,

We, The FMIA, were very encouraged by your standing with us in our resolution to protect the Frenchmen Street Arts and Cultural Overlay in February of 2013, by denying Bena Capital their desire to open a music club. The 20% music to 80% other uses had already exceeded 50% at that time. We were appreciative of your firm and united stand.

Bena Capital subsequently applied for and received permits to open a restaurant. They, however, proceeded to build out a music club with three stages, almost exactly as they had planned to do before you denied them the privilege. (In electronic version, please see attachments displaying disregard of Overlay requirements, and other rules.\*)

They have been the worst possible neighbor, raising the ire of the clubs on Frenchmen Street. 100% of their advertising is for a Music Club. They do have a footnote that they also have some food, which is such that the emphasis is definitely not on food. \*They have barricaded off the public parking and kept their doors wide open, all against the rules of the Overlay. Their residential neighbors are at their wits end regarding the volume of sound emanating from the rear of the building and their extended hours.



This application for a conditional use for a Cocktail Lounge, is an end run around the Commission's ruling of 2013 denying them permission for a music club. It would grant them exactly what you denied them in 2013. They, from appearances, never had an intent to be a restaurant and Safety and Permits has been unable to control them.

Please stand with us, the FMIA, again and support your original decision of DENIAL for the Cocktail Lounge conditional use.

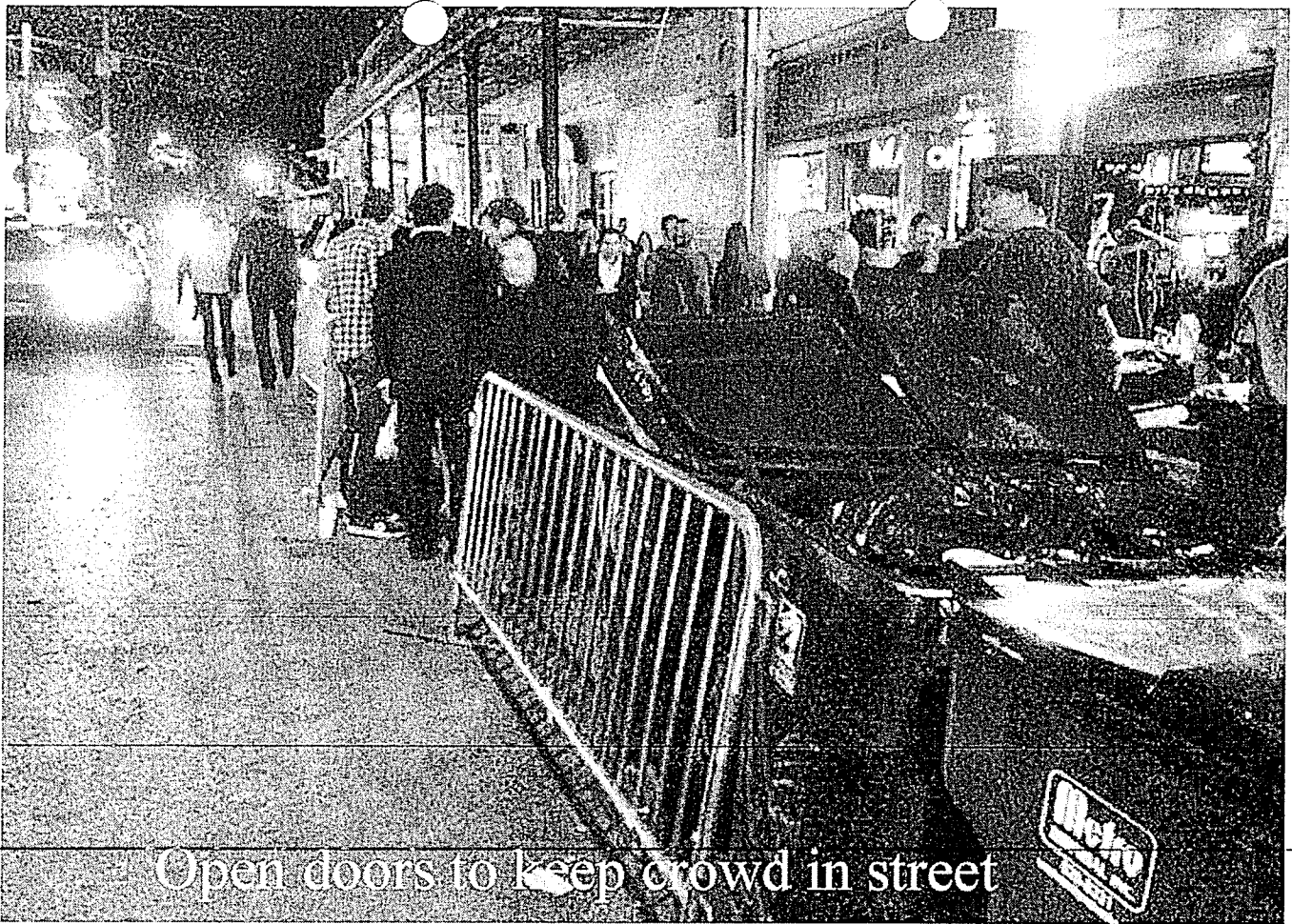
If you feel that another cocktail permit should be granted on Frenchmen Street it should first go to one of the three clubs that preceded them in operating outside the law, thereby making one of them legal as they have been there longer.

Sincerely,

Lisa Suarez

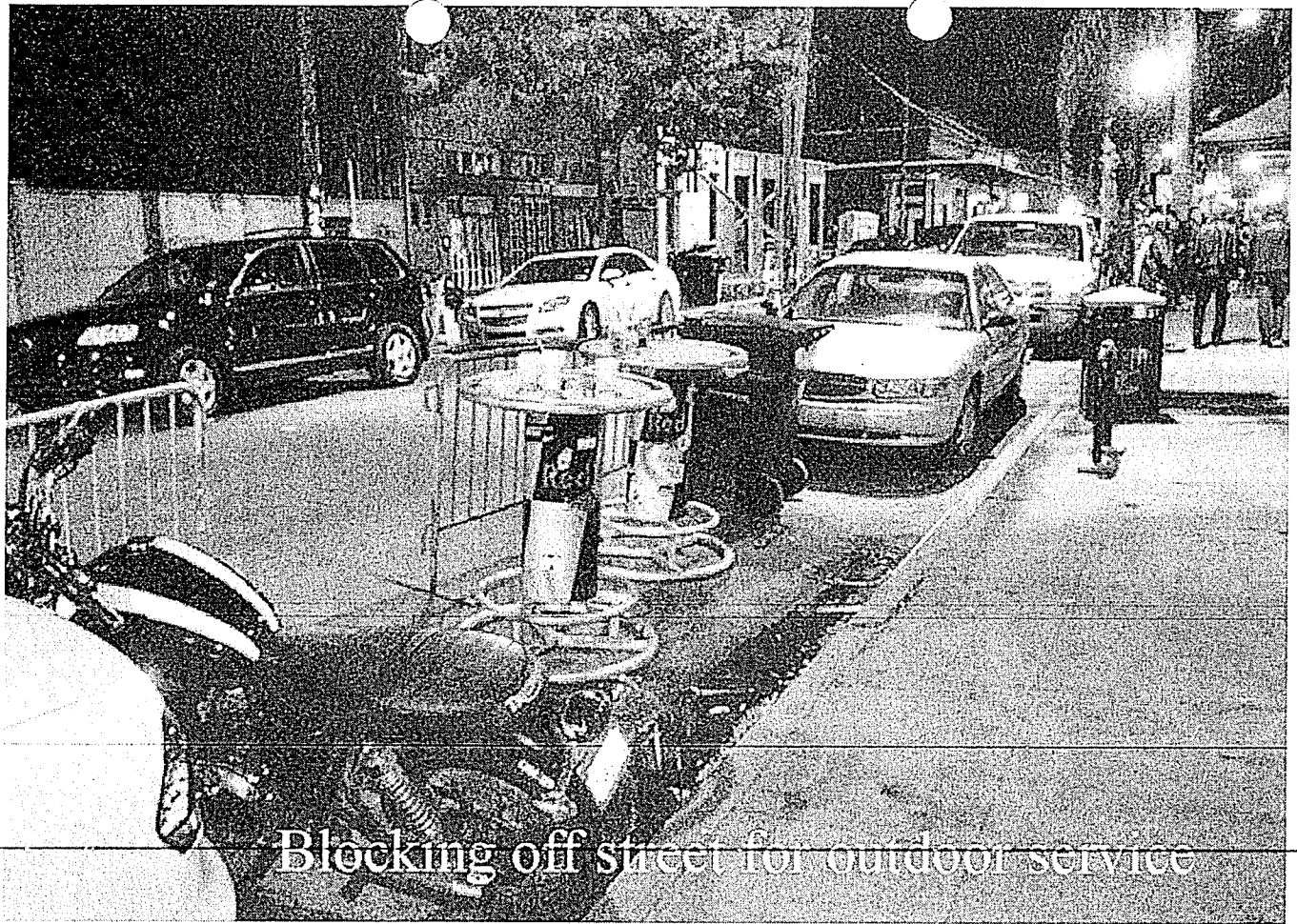
---

President, Faubourg Marigny Improvement Association

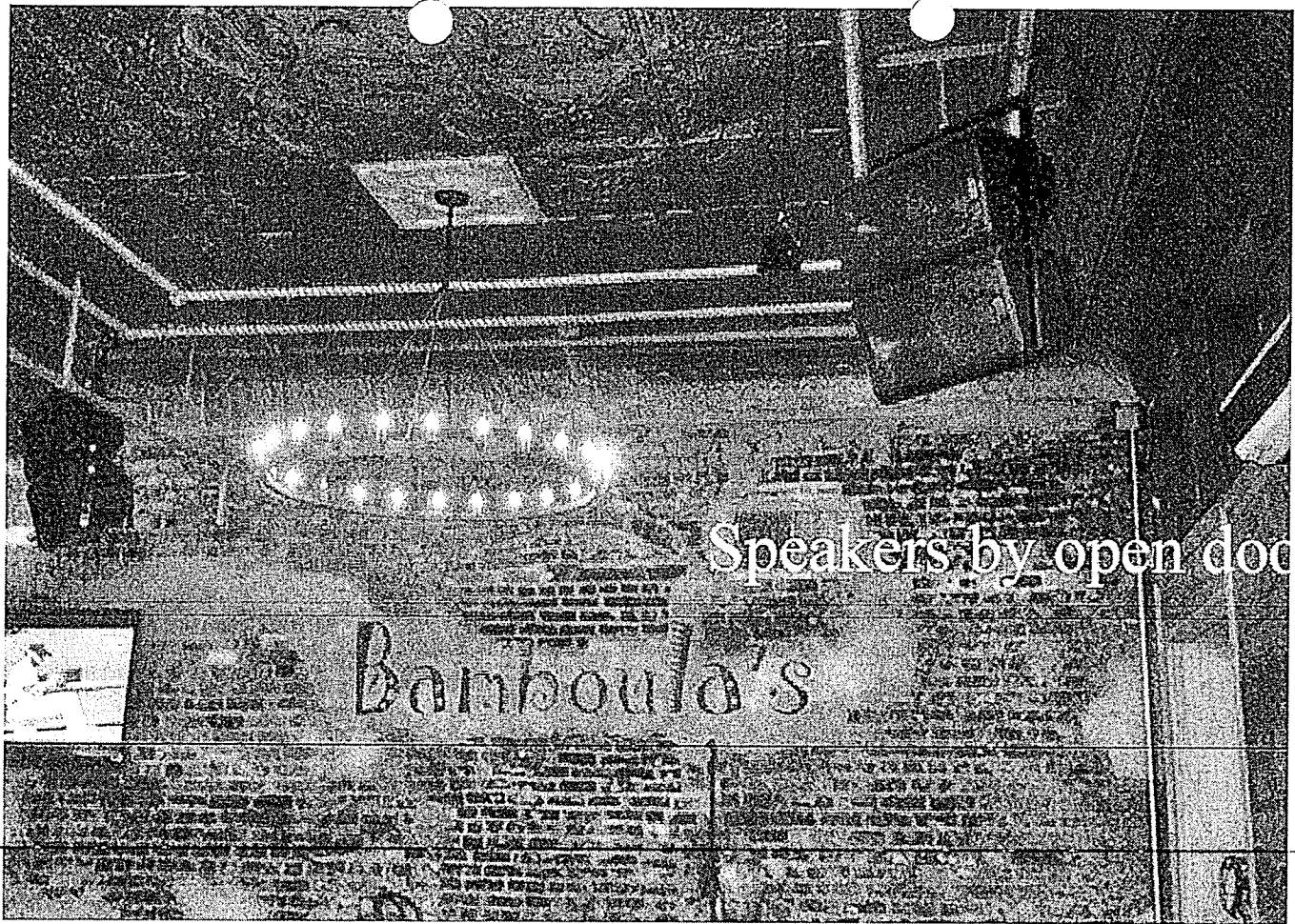


Open doors to keep crowd in street





Blocking off street for outdoor service



Speakers by open doc

Bamboula's

## CPCinfo

---

**From:** Lisa Suarez <president@faubourgmarigny.org>  
**Sent:** Monday, January 05, 2015 10:43 AM  
**To:** CPCinfo  
**Subject:** Addendum to DOCKET # 008/15  
**Attachments:** BAMBOOLA ADS.pdf

Attachment verifying additional violations of Zoning:

FIRST AD SHOWS THEY ADVERTISE AS A MUSIC VENUE NOT A RESTAURANT.  
Second shows that the theater is being advertised as a reception hall which  
is not in their zoning. Parties are not plays.

Thank-you again for your kind consideration,  
Lisa Suarez  
president, FMIA



# LIVE MUSIC NIGHTLY

September 19, 2014 Friday  
The Transfers 12:00pm to 5:00pm 3P  
Ed Wills Blues & Soul 5:30pm to 9:30pm 4P  
Walter Wolfman Washington and the Roadmasters  
(10:00pm till)



September 20, 2014 Saturday  
Jane Harvey Brown Jazz 12:30pm to 4:30pm 4P  
Closed for Private Party  
John Lisi Band 5:30pm to 9:30pm  
Spyboy featuring the 1PD Horus (10:00pm till)



September 21, 2014 Sunday  
Jamey St Pierre Plus 12:00pm to 6:00pm 2P  
John Lisi Blues 7:00pm to 11:00pm 3P



September 22, 2014 Monday  
Mark Appleford 12:30pm to 5:30pm 1P  
Messy Cookers Jazz 7:30pm to 11:30pm 3P

September 23, 2014 Tuesday  
Vivaz 12:30pm to 7:30pm 3P  
Dana & the Boneshakers 10:00pm to 12:00am 3P



September 24, 2014 Wednesday  
Swinging Gypsies 12:00pm to 5:00pm 3P  
Jamey Lynn Vessels 6:30pm to 9:30pm 3P  
Big Pearl Band 10:00pm to 1:00am 4P

September 25, 2014 Thursday  
John Embarks 12:00pm to 5:00pm 2P  
Kenny Clifton 6:30pm to 9:30pm 4P  
The Pentones 10:00pm to 1:00pm 4P



September 26, 2014 Friday  
Christopher Johnson 12:00pm to 5:00pm 3P  
Earl LeBlanc 5:30pm to 9:30pm 3P  
(10:00pm till)



September 27, 2014 Saturday  
Festival Hall Theatre  
Murder Mystery Dinner Theatre 6:00pm to 10:00pm  
Bamboula's from Stage  
Abby Diamond 12:00pm to 5:00pm 4P  
Guest 5:30pm to 9:30pm  
Smoky Greenwell Band (10:00pm till) 4P

September 28, 2014 Sunday  
Justin Bonovan 5:30pm to 6:00pm 1P  
John Lisi Blues 7:00pm to 11:00pm 3P



September 29, 2014 Monday  
Chris Christy 12:00pm to 6:00pm 1P  
Messy Cookers Jazz 7:30pm to 11:30pm 3P



September 30, 2014 Tuesday  
Vivaz 12:30pm to 7:30pm 3P  
Dana & the Boneshakers 10:00pm to 12:00am 3P



FEED YOUR SOUL

TEQUILA TACO TUESDAYS

PINT NIGHT THURSDAYS

lunch dinner late night

NEW MENU

www.bamboulasnola.com  
@bamboulasnola

514 Frenchmen St

# INTRODUCING THE FRENCHMEN

NOW BOOKING CASUAL  
OR FORMAL GATHERINGS  
HOLIDAYS, PRIVATE PARTIES  
CONVENTION MEETINGS

## THEATRE

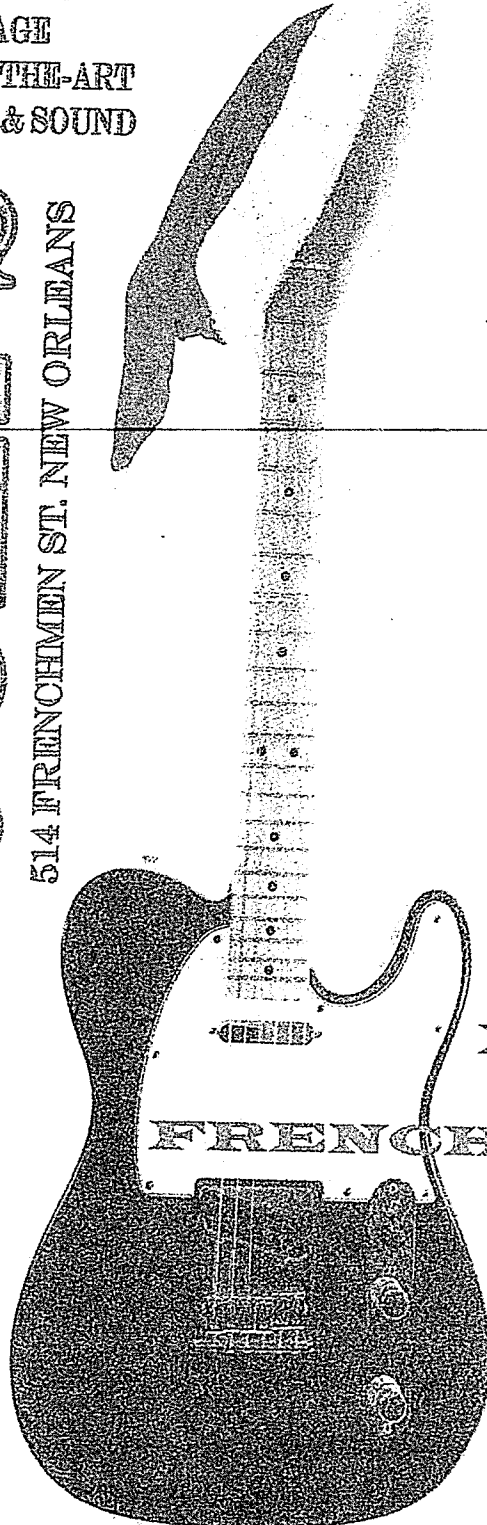
BEAUTIFULLY RESTORED  
OLD NEW ORLEANS VENUE

OFFERING FULL SERVICE  
CATERING  
TABLE SEATING  
LARGE STAGE  
STATE-OF-THE-ART  
LIGHTING & SOUND

516 FRENCHMEN ST  
PUBLIC PARKING 1 BLOCK

# BAMBOLLA'S

514 FRENCHMEN ST. NEW ORLEANS



OPEN  
LUNCH  
DINNER  
LATE  
NIGHT

LIVE  
MUSIC  
DAILY

THE  
NEW  
BEAT  
ON  
FRENCHMEN  
ST





January 5, 2015

DOCKET # 008/15

City Planning Commission  
City of New Orleans  
1300 Perdido Street  
New Orleans, LA 70112

Dear Commissioners,

We, The FMIA, were very encouraged by your standing with us in our resolution to protect the Frenchmen Street Arts and Cultural Overlay in February of 2013, by denying Bena Capital their desire to open a music club. The 20% music to 80% other uses had already exceeded 50% at that time. We were appreciative of your firm and united stand.

Bena Capital subsequently applied for and received permits to open a restaurant. They, however, proceeded to ~~build-out-a-music-club-with-three-stages, almost exactly as they had planned to do before you denied them the~~ privilege. In electronic version, please see attachments displaying disregard of Overlay requirements, and other rules.\*

They have been the worst possible neighbor, raising the ire of the clubs on Frenchmen Street. 100% of their advertising is for a Music Club. They do have a footnote that they also have some food, which is such that the emphasis is definitely not on food. \*They have barricaded off the public parking and kept their doors wide open, all against the rules of the Overlay. Their residential neighbors are at their wits end regarding the volume of sound emanating from the rear of the building and their extended hours.

~~This application for a conditional use for a Cocktail Lounge, is an end-run-around the Commission's ruling of 2013 denying them permission for a music club. It would grant them exactly what you denied them in 2013. They, from appearances, never had an intent to be a restaurant and Safety and Permits has been unable to control them.~~

Please stand with us, the FMIA, again and support your original decision of DENIAL for the Cocktail Lounge conditional use.

If you feel that another cocktail permit should be granted on Frenchmen Street it should first go to one of the three clubs that preceded them in operating outside the law, thereby making one of them legal as they have been there longer.

Sincerely,

Lisa Suarez,  
President

LAND USE MATTERS & COUNCIL COMMITTEE MEETING

Date: 1-13-2015

Mr. / Mrs. President:

I would like to speak regarding Doc # 8/15

BENA CAPITOL

in support  in opposition  information only

Name: Rebekah Williams  
(please print clearly)


Representing: Bena Capitol (Applicant)

Address: 128 GRUNER RD.

Remarks: Requesting Deferral





Building/Construction Related Permit 

Date 11-3-2014  
Tracking Number \_\_\_\_\_

### LAND-USE REQUESTS APPLICATION

Applications must be complete and submitted in person. Faxed, emailed or incomplete applications will not be accepted.

Type of application:  Text Amendment  Zoning Change  Conditional Use

Address of Property for which this application is being filed. 514 Frenchmen Street

#### APPLICANT INFORMATION

Applicant Identity:  Property Owner  Agent

Applicant Name Rebekah Williams

Applicant Address 514 Frenchmen St

City New Orleans State LA Zip 70116

Applicant Contact Number 504-575-7916 Email rebanne1@yahoo.com

#### PROPERTY OWNER INFORMATION SAME AS ABOVE

Property Owner Name Bena Capitol - Andre laborde

Property Owner Address 514 Frenchmen St

City New Orleans State LA Zip 70116

Property Owner Contact Number 504-324-7121 Email alaborde@gmail.com

Note: If ownership is joint, each owner must be listed. If ownership is a partnership, the Partnership Agreement must be included. If ownership is a corporation, Articles of Incorporation and a Board Resolution authorizing an individual or agent to sign on behalf or if ownership is a LLC, Articles of Organization and legal documentation authorizing an individual or agent to sign on its behalf must be included. If necessary, submit proof of ownership documents, such as copies of the recorded act of sale, act of exchange, act of donation, cash sale or deed.

#### SPECIFIC ZONING REQUEST

Convert existing Restaurant to a  
Bau & best. Conditional use to permit  
a cocktail lounge in HMC 2 zoning district & Arts & Cultural  
overlay district

Square Number(s) 59.5 Lot Number(s) lot 22

Bounding Streets Decatur Esplanade Charter

Zoning HMC-2 Municipal District \_\_\_\_\_

Tax Bill Number 37N100218 Planning District Historic Marigny

#### DESCRIPTION OF PROJECT (Attachments are acceptable)

Conditional use for to convert our  
licensed Restaurant to a Bau & Restaurant

## Nicholas J. Kindel

---

**From:** Rebekah Williams <rebanne1@yahoo.com>  
**Sent:** Friday, January 23, 2015 7:32 PM  
**To:** Nicholas J. Kindel  
**Subject:** Bamboulas Conditional Use Information Attached  
**Attachments:** Bamboulas Architects Drawings 1.pdf; Bamboulas Frontage Pic.jpg

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Nick,

I received your email and attached you will find the Architects drawings for Bamboulas showing the site plan: measurements/ dimensions and square footage of the property. The Drawings show both the table lay out and the bare interior space. Please take this into consideration when making any changes to your staff report. I have also attached a picture of the front of the building showing the ceiling fans removed as per the HDLC instruction.

I will stop by your office Monday morning and drop off the information from the Fire Marshall. As for revising the study conducted showing the current percentage of cocktail lounges we will not be making revisions to it; as we maintain the document to be valid and that only licensed cocktail lounges and/or bars should be included in this document.

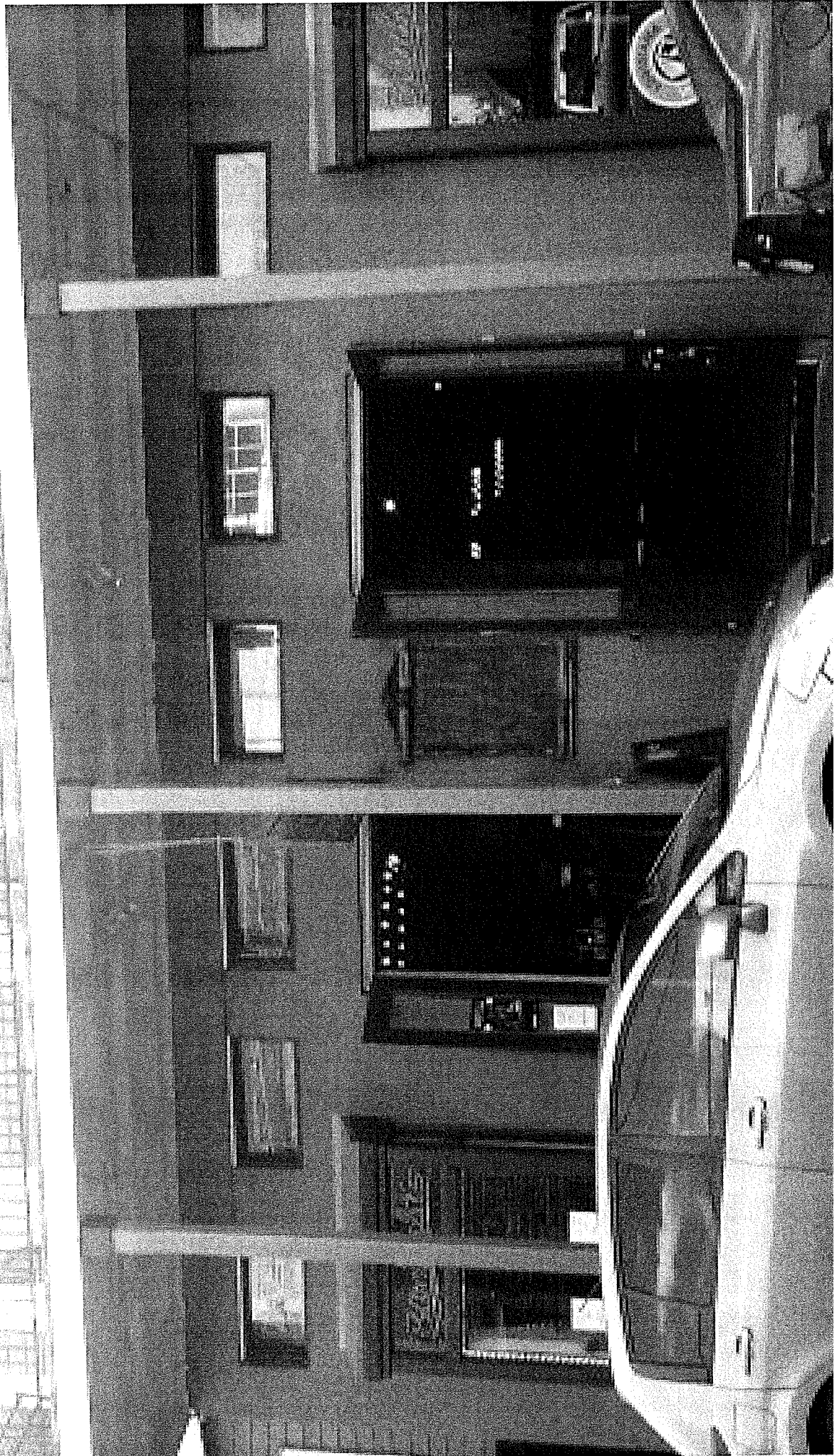
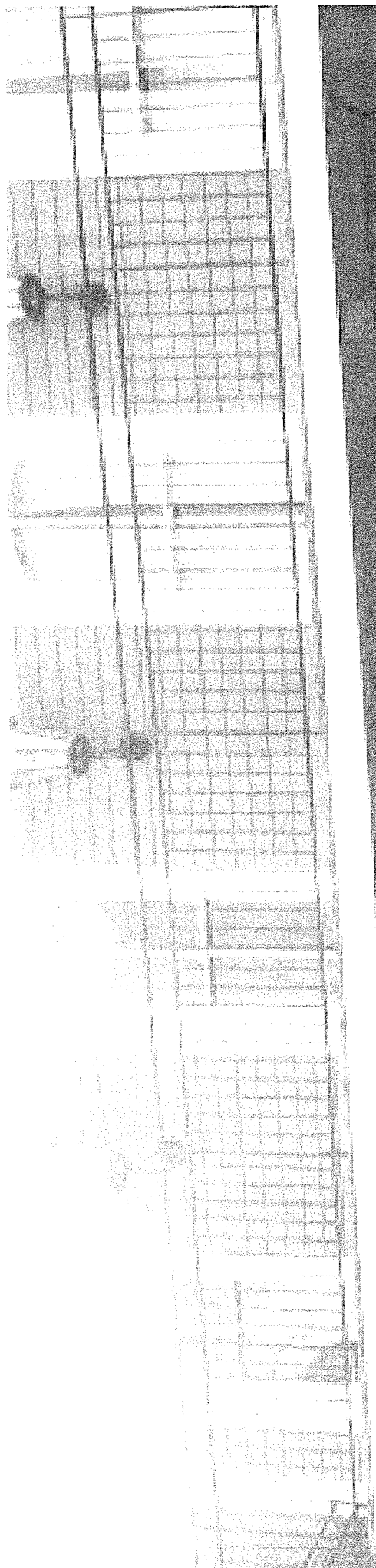
I really appreciate all your assistance with our submission and all the time you've spent with me during this process. Please call or email if you have any questions. I will see you Monday. Have a great weekend.

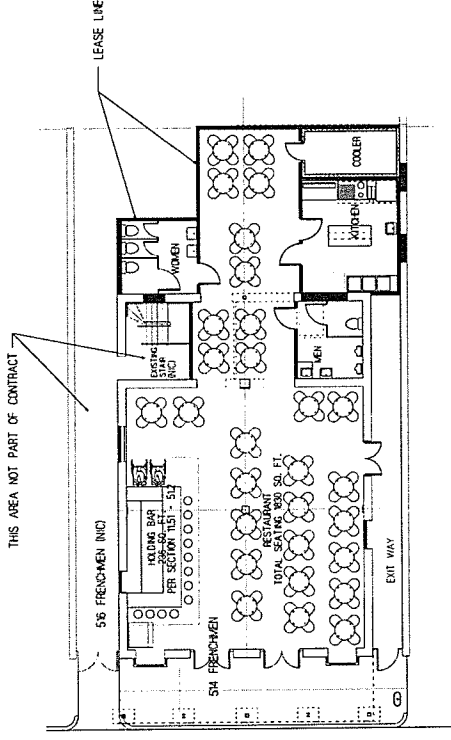
Thank you,

*Rebekah Williams*

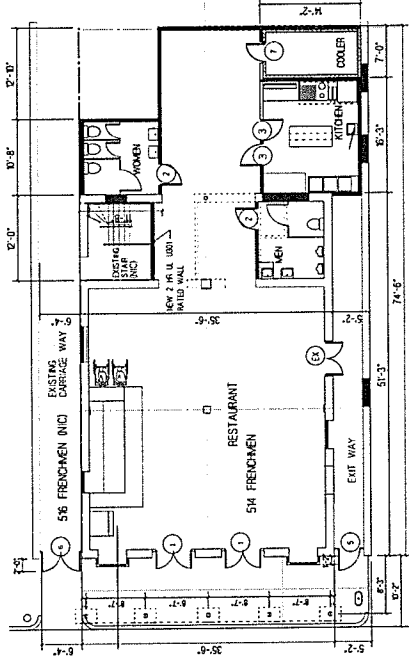
**Nawlins Entertainment Group  
Operations Supervisor &  
Project Management, Director**

O: (504) 324-7121  
C: (504) 575-7916  
F: (504) 324-7120  
[rebanne1@yahoo.com](mailto:rebanne1@yahoo.com)





FURNITURE LAYOUT  
SCALE 1/8" = 1'-0"



FIRST FLOOR PLAN  
SCALE 1/8" = 1'-0"



- BUILDING NOTES**
- FIRST FLOOR:
    - RESTAURANT 3,014 SQ. FT.
    - VACANT 3,092 SQ. FT.
  - GROSS AREA 6,106 SQ. FT.
- SECOND FLOOR:**
- EXISTING RESIDENCE 1,783 GROSS SQ. FT.
- ZONING NOTES**
- ZONING: HISTORIC MARIGNY/TREME COMMERCIAL DISTRICT (HMC 2) WITH ARTS AND CULTURAL OVERLAY.
- PERMITTED USES:**
- HMC 2: RESTAURANTS WITH HOLDING BARS IN ACCORD WITH CZO 11.512
- OVERLAY DISTRICT:**
- RESTAURANTS WITH HOLDING BARS IN ACCORD WITH CZO 11.512
- CZO 11.51 REQUIREMENTS:**
- RESTAURANT GROSS SEATING AREA 1,830 SQ. FT. HOLDING AREA BAR 15' x 275 SQ. FT.
  - ACTUAL HOLDING BAR 282 SQ. FT. = 13.9%

## Nicholas J. Kindel

---

**From:** CPCinfo  
**Sent:** Wednesday, January 14, 2015 1:26 PM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Zoning Docket 008/15  
**Attachments:** 1421 Condominium Assoc vs Bena Capital..pdf; recorded revocation of servitude.pdf; revocation of servitude.pdf; survey attached to building permit.pdf; Assignment of Intetrest.pdf; bamboula's 5.7 (2).JPG; june 3 debris left from Bamboulas.JPG; july 24, 2014 junk in back.JPG

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Nick,

I thought it would be easier to just forward this email to you.

The City Planning Commission Staff

---

**From:** Sam Poche [<mailto:sam@fqr.com>]  
**Sent:** Wednesday, January 14, 2015 12:17 PM  
**To:** CPCinfo  
**Subject:** Zoning Docket 008/15

Dear Sirs/Madams.

In light of the deferment please consider this information before deciding on the Conditional Use permit for a cocktail lounge by BENA Capital at 514-16 Frenchmen Street.

Attached is evidence of improper activity used to obtain Fire Marshal approval to operate. The servitude was obtained in a fraudulent manner. The Servitude has since been canceled. The 'club' no longer has permission to access 1422 Chartres as an emergency exit. It is my intention to build a wall or fence prohibiting the opening of the emergency exit. In the event of a fire, people will have no egress, as required by Fire Marshal. Bena Capital and the occupants of 514-16 Frenchmen Street are not good neighbors.

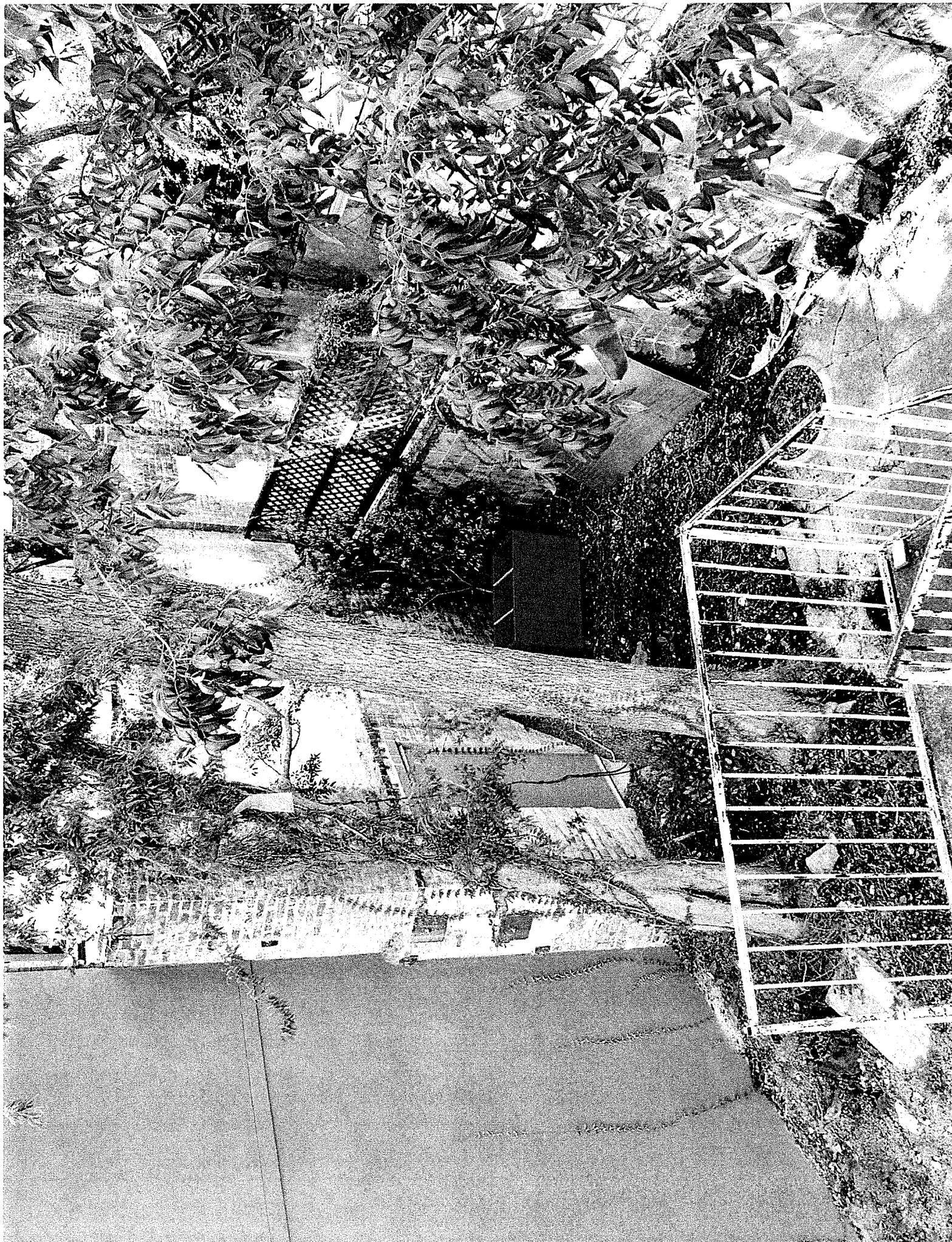
Samara D. Poché  
French Quarter Realty  
1041 Esplanade Avenue  
New Orleans, LA 70116 USA  
Office (504) 949-5400  
**Direct (504) 319-6226**  
[sam@fqr.com](mailto:sam@fqr.com)  
[www.sampochesells.com](http://www.sampochesells.com)  
Licensed by Louisiana Real Estate Commission  
Christie's International Real Estate Affiliate

**CHRISTIE'S**  
INTERNATIONAL REAL ESTATE













**ACT OF REVOCATION OF SERVITUDE OF PASSAGE**

STATE OF LOUISIANA

PARISH OF ORLEANS

BEFORE ME, the undersigned Notary Public, duly commissioned and qualified within and for the State and Parish aforesaid, and in the presence of the undersigned witnesses, personally came and appeared:

Karl Kirchberg, a person of the full age of majority and a resident of the Parish of Orleans, State of Louisiana, whose mailing address is 4917 Hearst St., Metairie, LA 70001,

who declared that he is the owner of the property located at 1422 Chartres St., New Orleans, LA, 70116 designated as Lot 14, Square 5, Faubourg Subdivision, 3<sup>rd</sup> District of the City of New Orleans.

THAT pursuant to that certain Affidavit establishing a "servitude of passage" for the benefit of the owners of 514-516 Frenchmen St., dated January 19, 2013, registered as N.A. No. 2013-05875, Inst. No. CIN 527905 in the Office of the Clerk of Court for the Parish of Orleans, he does by these presents acknowledge that the servitude is being used for purposes other than an emergency passage, including, but not limited to an employee break area, and he does hereby cancel, revoke and terminate said servitude of passage.

*Thus Done and Passed*, in my office in the City of New Orleans, State of Louisiana on the ~~14<sup>th</sup>~~ day of March, 2014, in the presence of the competent witnesses, who hereunto sign his name with the said appearer, and me, Notary, after reading the whole.

WITNESSES:

Cathy Kelley  
Cathy Kelley  
John Lazard  
John Lazard

Appearer:

Karl Kirchberg  
Karl Kirchberg

Joshua P. Mathews  
NOTARY PUBLIC

Joshua P. Mathews  
Notary Public (LSBN 30615)  
2550 Belle Chasse Hwy-Suite 200  
Gretna, LA 70053  
(504) 368-2700



1340 Poydras Street, 4th Floor  
New Orleans, Louisiana 70112

Telephone (504) 407-0005



Chelsey Richard Napoleon  
Chief Deputy Clerk

Land Records Division

**Hon. Dale N. Atkins**  
Clerk of Court and Ex-Officio Recorder  
Parish of Orleans

DOCUMENT RECORDATION INFORMATION

Instrument Number: 2014-09877

Recording Date: 3/17/2014 10:40:27 AM

Document Type: REVOCATION

Addl Titles Doc Types:

Conveyance Instrument Number: 551410

Filed by: JOSHUA P MATHEWS  
2550 BELLE CHASE HWY  
STE 200  
GRETNA, LA 70053

THIS PAGE IS RECORDED AS PART OF YOUR DOCUMENT AND  
SHOULD BE RETAINED WITH ANY COPIES.

LAW OFFICES OF  
**JOHNSON & PLACKE, L.L.P.**  
1020 Esplanade Ave. #104  
NEW ORLEANS, LOUISIANA 70116

Bena Capital, LLC  
% Andre Laborde, Registered Agent  
516 Frenchmen Street  
New Orleans, LA 70116

LAW OFFICES OF  
**JOHNSON & PLACKE, L.L.P.**

DON H. JOHNSON  
ALLAN L. PLACKE

105 REGENCY PLACE  
WEST MONROE, LA 71291

1020 ESPLANADE AVE. # 104  
NEW ORLEANS, LA 70116

Toll Free: (855) 660-7754  
Primary (318) 322-7000  
Fax: (318) 855-2618

E-MAIL:  
mail@johnsonplacke.com

February 23, 2014

Bena Capital, LLC  
% Andre Laborde, Registered Agent  
516 Frenchmen Street  
New Orleans, LA 70116

Bamboula's, Inc.  
% Pamela Olano, Registered Agent  
514 Frenchmen Street  
New Orleans, LA 70116

RE: 1421 Condominium Assoc  
vs. Bena Capital, LLC  
Our File No.: 9010.004

Dear Ladies and Gentlemen

I represent the 1421 Chartres Condominium Association Inc. (Association). I am informed that Bena Capital is the owner of the property located at 514-16 Frenchmen, New Orleans, which is presently occupied by a club owned and operated by Bamboula's, Inc. My client advises that it was approached by your representative requesting a perpetual servitude of passage as an emergency fire exit across the parking lot owned by the Association. A copy of the document prepared by you at the time of your request is attached. The unexecuted document names as grantors Mr. Karl Kirschberg, the owner of lot 14, Sq. 5, Faubourg Subdivision, located adjacent to the parking lot owned by the Association, and the 1421(Chartres) Condominium Association (Inc.) owner, of lot 15 Sq. 5, Faubourg Subdivision which you also described by the actual lot dimensions, (24' x32'; 125' x 105').

You were advised by the Association that it would not grant you a servitude across its property. Not only would such a servitude severely limit the Association's future use of its property, it would also require the Association to provide safe passage for the public across its property potentially exposing the Association to liability for damage claims

The Association has just been informed that in spite of rejecting your request for a servitude, you caused to be filed a document in the public records which purports to grant you



the servitude you were seeking from the Association. I attach a copy of that document. It appears to be the gratuitous granting of a servitude by Mr. Kirschberg since no consideration is mentioned. It is also apparent that the original document which you presented to the Association was simply modified by removing the Association's name and the reference to Lot 15, while leaving the lot dimension of the Association's parking lot, (24' x 32';125' x 105') in the document.

It is believed that the appropriate permits could not be obtained using only Mr. Kirschberg's property which undoubtedly does not provide adequate access to Chartres Street. It would also follow that the permit was most likely granted improvidently based on the lot 15 dimension (24' x 32';125' x 105') contained, without authority, in the document. This Association will not be a party to any deceptive or illegal practices. Now that the Association has knowledge of this issue, it is legally bound to notify the appropriate authorities.

Although your document is patently invalid, it has created a cloud on the title of the Association's property. Furthermore the existence of the implied servitude has exposed the Association to potential liability for any litigation expense necessary to defend itself against anyone injured while attempting to use the servitude.

This letter is a formal demand on you to immediately cease and desist any and all use of the Lot 15 (24' x 32';125' x 105') parking lot for an emergency exit passage or for any other purpose. Neither you, your agents, representatives, employees, patrons, nor other persons emanating from your place of business are allowed on this property. Anyone found trespassing will be dealt with accordingly.

The letter is also formal demand on you to correct the public records filing immediately. If the appropriate document is not filed of public record within 10 days from the date of this letter suit will be filed against you in Orleans District Court seeking a judgment ordering the cancellation/correction of the document containing the illicit reference to its property in the servitude document, damages, and costs.

With kind regards, I am

Sincerely,

Don H. Johnson

DHJ-pb

## SERVITUDE OF PASSAGE

Before Me, Notary Public, appeared the following parties for the purpose of establishing a servitude of passage for emergency purposes only from one property to another as described hereinbelow, to wit:

Andre Laborde, President of Bena Capital, LLC, owner of the subject property located at 514-16 Frenchmen St., New Orleans, La. 70116 more fully described as Lot 22, Sq. 5, Faubourg Subdivision, Third District, City of New Orleans for which the servitude of passage is required;

Karl Kirschberg, owner of the adjacent connecting rear lot to the subject property located at 1422 Chartres St., New Orleans, La. 70116 more fully described as Lot 14, Sq. 5, Faubourg Subdivision, Third District, City of New Orleans; and

\_\_\_\_\_, President of the 1421 Condominium Association, owner of the adjacent connecting rear lot to the subject property located at 1421 Chartres St., New Orleans, La. 70116 more fully described as Lot 15, Sq. 5, Faubourg Subdivision, Third District, City of New Orleans.

The above parties have presented themselves as evidenced by their respective signatures below to enter into and create this servitude of passage agreement involving their respective properties for the purpose of establishing in perpetuity a real right of servitude of passage as an emergency fire exit only which is being required by the Louisiana State Fire Marshal's Office for the building located at 514-16 Frenchmen St., New Orleans, La. 70116. The parties do now hereby formally establish by this document said servitude of passage in favor of 514-16 Frenchmen St., New Orleans, La., 70116 over and across the properties described as Lots 14 and 15, Sq.5, Faubourg Subdivision,

---

New Orleans, La. 70116 for emergency purposes only ;and the servitude will be voidable immediately if it is used for any other purpose other than emergency passage. The property over which the servitude exist measures 24'/32' x 125'/105'.

THUS DONE & PASSED, BEFORE ME,NOTARY PUBLIC AS EVIDENCED  
HEREINBELOW ON THIS \_\_\_\_\_ DAY OF NOVEMBER \_\_\_\_\_, 2012.

Bena Capital , LLC:

\_\_\_\_\_  
Andre Laborde, Managing Member

\_\_\_\_\_  
*Karl Kirschberg*

*1421 Condominium Association:*

*Witnesses*

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

---

SERVITUDE OF PASSAGE


Before Me, Notary Public, appeared the following parties for the purpose of establishing a servitude of passage for emergency purposes only from one property to another as described hereinbelow, to wit:

Andre Laborde, President of Bena Capital, LLC, owner of the subject property located at 514-16 Frenchmen St., New Orleans, La. 70116 more fully described as Lot 22, Sq. 5, Faubourg Subdivision, Third District, City of New Orleans for which the servitude of passage is required;

Karl Kirschberg, owner of the adjacent connecting rear lot to the subject property located at 1422 Chartres St., New Orleans, La. 70116 more fully described as Lot 14, Sq. 5, Faubourg Subdivision, Third District, City of New Orleans;

The above parties have presented themselves as evidenced by their respective signatures below to enter into and create this servitude of passage agreement involving their respective properties for the purpose of establishing in perpetuity a real right of servitude of passage as an emergency fire exit only which is being required by the Louisiana State Fire Marshal's Office for the building located at 514-16 Frenchmen St., New Orleans, La. 70116. The parties do now hereby formally establish by this document said servitude of passage in favor of 514-16 Frenchmen St., New Orleans, La., 70116 over and across the properties described as Lot 14 and Sq.5, Faubourg Subdivision, New Orleans, La. 70116 for emergency purposes only ;and the servitude will be voidable immediately if it is used for any other purpose other than emergency passage. The property over which the servitude exist measures 24'/32' x 125'/105'.

NOTARIAL ARCHIVES OF ORLEANS, LOUISIANA  
NA # 2013-05075 DT 02/07/13  
TYPE: SERV FEE \$35.00 HC 2



---

THUS DONE & PASSED, BEFORE ME, NOTARY PUBLIC AS EVIDENCED  
HEREINBELOW ON THIS 19<sup>th</sup> DAY OF January     , 2013.

Bena Capital, LLC:

Andre Laborde  
Andre Laborde, Managing Member

Karl Kirschberg  
Karl Kirschberg

Witnesses

Casey Chatfield  
[Signature]

Connie S. Montgomery  
Notary Public

CONNIE S. MONTGOMERY  
NOTARY PUBLIC  
Commission No.: 54735  
My Commission Is for Life

THE STATE OF MISSISSIPPI  
HEREINBELOW ON THIS \_\_\_\_\_ DAY OF January \_\_\_\_\_ 2013

*[Handwritten Signature]*

\_\_\_\_\_

Witness

NA #: 13-05875  
INST. #: 527905  
TYPE: Servitudes  
AMT: \$30.00  
DATE: 2/7/2013 2:40:01 PM  
DALE N. ATKINS  
CLERK, CIVIL DISTRICT COURT



ASSIGNMENT OF INTEREST

Be it known that on the 31st day of March, 2014, the following parties entered into this Assignment of Interest:

KARL JAN KIRCHBERG, a person of the full age of majority and a resident of the Parish of Jefferson, State of Louisiana, appearing in his personal capacity, (hereinafter referred to as "Assignor");

CAMBRA Y QUARTER, L.L.C., a limited liability company with its principal place of business in the Parish of Orleans, State of Louisiana, appearing through its membership (hereinafter referred to as "Assignee");

Assignor does hereby assign, transfer and deliver to assignee, for consideration and value received, without recourse, any and all past, present and future personal actions, rights, privileges, remedies, advantages, and obligations pertaining to real rights, personal actions and remedies for trespassing and the right to quiet possession against any occupiers, transients and neighbors.

Said Assignment of Interest is limited to the rights pertaining to trespassing upon the property owned by Karl Jan Kirchberg in the Third District of New Orleans, Square 5, Lot "B" or 14 CHARTRES 24 bound by Chartres, Frenchmen and Decatur Streets and Esplanade Avenue bearing the municipal number 1422 Chartres St., New Orleans, Louisiana.

Assignor represents that he is the owner of the real rights and personal actions accruing in his favor including the right to be restored to quiet possession against all and any known and unknown persons arising from trespassing that he has against any person, including but not limited to, Darrell K. Bishop, 1421 Chartres Condominium Association, Inc., Pofranx, L.L.C., Bena Capital, L.L.C., The 524 Shop, L.L.C., Bena Capital, L.L.C., Sizemore Properties, L.L.C., Bamboula's, Inc., or Brave New World Investments, L.L.C. during his ownership of 1422 Chartres Street, which are fully assignable.

Assignee shall be entitled to recover all remedies, money and damages resulting from the institution of suit to be restored to quiet possession against any person or trespasser, including Darrell K. Bishop, 1421 Chartres Condominium Association, Inc., Pofranx, L.L.C., Bena Capital, L.L.C., The 524 Shop, L.L.C., Bena Capital, L.L.C., Sizemore Properties, L.L.C. or Brave New World Investments, L.L.C.

Assignee acknowledges that this Assignment will not affect, modify and/or abridge Assignor's right to enforce any other personal actions, rights or security in any other property owned by Assignor in Orleans Parish or anywhere else.

Thus done and signed before the undersigned authority on this 31st day of March 2014 in the presence of the undersigned competent witnesses, who have signed this instrument with said appearers after a due reading of the whole.

WITNESSES:

[Signature]  
Please sign and print Janet E. Barringer

[Signature]  
Please sign and print Monika Deaver

[Signature]  
NOTARY PUBLIC

[Signature]  
Please sign and print Eric Wilkinson

[Signature]  
Please sign and print Joshua P. Mathews

[Signature]  
NOTARY PUBLIC

Joshua P. Mathews  
Notary Public (LSBN 30615)  
2550 Belle Chasse Hwy-Suite 200  
Gretna, LA 70053  
(504) 388-2700

[Signature]  
Karl Jan Kirchberg



LSDA NO. 20117  
STATE OF LOUISIANA  
PARISH OF JEFFERSON  
My commission is for life.  
Crawford A. Roes, III  
Notary Public  
3636 S. I-10 Service Road W. - Suite 210  
Metairie, LA 70001

[Signature]  
Member, CAMBRAY QUARTER, L.L.C.

Samara D. Poche